

THE STARS AT NIGHT
as they appear in mid-February



THE INDEPENDENT

N° 3,205

TUESDAY 28 JANUARY 1997

WEATHER: Dry, cold where overcast

(IR45p) 40p

THE TABLOID

Fashion:
Rude boys
of Paris



COMMENT

The cost
of keeping the
Royals afloat



INTERNATIONAL

The bomb suspect
who got
a movie deal PAGE 9



English hitmen for hire, warns police chief

Jason Bennett
Crime Correspondent

Up to 20 professional hitmen are operating from the South-East of England and have carried out a number of contract killings, a senior detective has told the Independent.

The killers charge from £1,000 to £30,000 per murder and have been used by spurned lovers as well as gangs.

Scotland Yard has a special squad in operation to crack

down on the hitmen, amid concern at the upsurge in the number of men prepared to kill for cash. David Veness, Scotland Yard's Assistant Commissioner in charge of specialist operations, said: "We have a genuine fear that there is a greater capacity for criminals to gain access to individuals willing to kill for money. There are worrying signs that there are small groups for whom this is the main form of criminal activity."

He said there was evidence

that the London-based professional killers were being used to carry out hits in other parts of the country. Previous assassinations also suggest that hitmen are being brought in from abroad.

Mr Veness has a pool of 40 detectives from Scotland Yard's Organised Crime Group to help in the inquiry. At least 20 contracts have been carried out, although Mr Veness believes there are almost certainly many "hits" that have yet to

be identified as the work of professional assassins.

Most of the killings are understood to be between rival crime gangs, particularly who in dispute over drugs. However, a number of cases have involved businessmen disposing of rivals or partners and of jilted lovers gaining revenge.

Mr Veness said: "The ones that concern us most are those where it's felt a criminal grouping can with relative impunity resolve its business disputes via

killers. If that attitude develops, a general climate of criminal disorder rapidly follows." He added: "The other category of mistresses and distressed lovers does not create the same insidious effect."

Asked whether the hitmen are being hired for jobs in other parts of the country, he said: "We have examples of movement of activity within the UK."

Mr Veness said there was a "resurgence" in his during the past five years due to greater

availability of guns and possibly greater competition and rivalry between gangs. He estimated there were 10 to 20 contract killers operating in or from the Metropolitan police area (Greater London), being paid from £1,000 to £20,000 a hit. Detectives believe a significant number of unsolved murders are contract killings but so far no evidence has emerged linking them to hitmen.

In what is believed to be the latest example of a contract

killings, a man was found shot dead in a wood in Highgate, north London, two weeks ago. Brandon Hale, 48, a known heavy gambler, was beaten and then shot above the left eye.

The Scotland Yard inquiry is hampered by the extreme secrecy surrounding the subject of contract killers, who usually have no connections with their victims.

Recent police successes against hitmen include conviction of a professional killer

known as The Executioner, who was jailed for life in March for murdering a car dealer.

Kevin Lane, 26, was paid £100,000 by an unknown underworld contact to shoot Robert Magill near his home in Rickmansworth, Hertfordshire, in October 1994.

Two men who were paid £20,000 for the contract killing of the millionaire Donald Urquhart were jailed in February 1995.

Killer for hire, page 3

Tories to fight for the flag and wallet

Anthony Bevins
Chief Political Correspondent

Patriotic optimism and a tax auction with Labour are to be the twin planks of the Conservative election strategy, the Cabinet agreed yesterday.

Britain is the best country in the world, ministers agreed: voters should be warned that Labour would throw it away. After the all-day meeting at Chequers, Stephen Dorrell, the Secretary of State for Health, pledged that a new Conservative government would cut the tax burden, which it has not achieved in any of the last four parliaments.

But with John Major making it absolutely clear that he would go to the election limit of 1 May, barring a Commons defeat on a vote of confidence, the safety-first campaign theme was one of continuing to offer opportunity and choice for the "hard-working" classes.

Mr Dorrell said there had been an upbeat discussion in which it had been recognised the Conservative Party had built "the strongest economy in Europe". The Cabinet, he said, had worked through its ideas on health, education, social security and the economy, "to ensure that Britain continues to be the best country in the world in which to live".

He reported that the Prime Minister's phrase was "one that expresses very well the sense around the Cabinet today".

A more negative message was delivered by William Hague, the Secretary of State for Wales, who said on BBC radio that the Conservatives had beaten the British disease of strikes and inflation during the 1980s and would now offer "fresh reforming ideas to meet the big economic challenges of the 1990s".

He added that having created a strong economy, it was "important not to throw that away and that's what's at stake in the coming election".

Mr Hague said: "It's important to continue the change and not go into these blind alleys of minimum wages, higher taxes,



Election timetable, page 6
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increasing your own, and your family's, living standards is one that I think stands up."

Giving a broad sweep of the policies that would be offered under plans to develop ownership, choice and opportunity, Mr Dorrell said there would be a grammar school in every town, expanded choice in the National Health Service and more privatisation.

Having pursued a "reformist" agenda for the first 18 years, he said, Mr Major intended to continue that agenda in the Conservatives' fifth term of office.

Earlier, as the long-drawn election campaign continued, Labour threatened to force the writ for the Wirral South by-election, so that it could be held on 27 February.

The Conservatives immediately replied by saying they would fulfil their promise to move the writ themselves within the next week, so that the by-election would be called either for 27 February or 6 March.

Given the disastrous result which is expected in that pre-election poll, with the Conservatives losing the seat to Labour on all the forecasts, the delay in a general election until May is probably based on the hope that the Wirral South debacle will have been forgotten by May.

Yesterday's meeting at Chequers began with a briefing by the Conservative Party chairman, Brian Mawhinney, on the mechanics of the election campaign. He said the Tories would build on the improved standards they had already achieved, and be added: "This government has been an education standards-focused government. We are going to build on that."

Other subjects discussed during the day included plans for housing, the National Lottery, and pensions.

A Conservative Party source said no government had lost an election when the tide of ideas was flowing in its favour, and after five hours of discussion among Cabinet ministers, it was clear the party had the ideas to meet the economic challenges of the 21st century.

social chapters, selling out in Europe, which is what the Labour Party now represents."

In a new development, he said some specific ideas in the manifesto would be revealed in press conferences between now and 1 May, exposing some of the flesh of Mr Major's plans before the full manifesto itself is published in April.

Labour's deputy leader, John Prescott, said: "After 18 years in power they have run out of steam. They are left scraping the barrel for crackpot ideas which are more about the jockeying for position in the Tory leadership than the interests of the country."

The Liberal Democrat MP Menzies Campbell said right-wing experiments and electoral gimmicks were "no substitute for sound policy".

Giving a press conference at the Barnard Arms, the local pub for Chequers, Mr Dorrell was asked whether Britain was the best country in the world for the poor and the unemployed. He said: "If you are unemployed in Britain you have a better chance of finding a job than if you are unemployed in any other major country in Europe."

"So the proposition that this is a good place to live because it gives you a better prospect for a job and a better prospect for



Steve Biko: Died after being tortured by security police

Photograph: AP

Twenty years late, Biko's killers confess

Mary Braid
Johannesburg

Twenty years after the death in detention of the black consciousness leader, Steve Biko, five former security policemen have confessed to being involved in his murder.

Biko, arguably the anti-apartheid movement's most famous martyr and the hero of Sir Richard Attenborough's 1987 movie *Cry Freedom*, died in police custody on 12 September 1977, aged 31.

In the 1970s Biko's radical black pride message set the townships alight and changed the course of the liberation movement. After the last of his many arrests it is widely accepted that he was beaten and tortured during interrogations at security police headquarters in Port Elizabeth, before being transported in the back of a landrover, naked and fatally injured, 700 miles to Pretoria, where he finally died.

It is claimed he was denied medical assistance and that a police cover-up followed.

The cruelty and brutality of the apartheid regime was encapsulated in the infamous response

of Jimmy Kruger, then justice minister. "His death leaves me cold," he said.

Despite the best efforts of the Biko family's counsel, led by Sidney Kentridge QC and George Bizos, President Nelson Mandela's long-time legal adviser, an inquest in the late 1980s found no one was to blame for his death.

The five former policemen - all former officers at Port Elizabeth - are reported to be finalising an amnesty application in connection with Biko's death to the Truth and Reconciliation Commission (TRC), the body charged with healing South Africa by exposing its violent past and laying the foundations for a better future.

A TRC spokeswoman last night confirmed South African newspaper reports of the joint amnesty application. The breakthrough on the Biko case represents one of the TRC's greatest coups and strengthens its claim to be a better vehicle than the criminal courts for dealing with the past.

The application however will almost certainly anger Biko's family. Yesterday Biko's eldest son, Nkomo, 26, said the fam-

ily could not comment before it had discussed the matter.

But last year Biko's widow, Ntsiki, backed by the Azanian People's Organisation (Azapo), which claims to be the true carrier of the Biko torch, challenged the legitimacy of the TRC in the Constitutional Court.

"They argued the TRC was an instrument of political expediency and that its amnesty powers robbed victims' families of justice. A successful application for amnesty, granted to those who freely confess to past atrocities if they can prove political motivation, bars any future criminal charges or civil claims against perpetrators."

The family lost their challenge when the 10 constitutional court judges ruled that without the offer of amnesty there would be a disincentive to tell the truth.

Notion divided, page 9

Michael Grade says goodbye to television

Marianne Macdonald
Media Correspondent

Michael Grade, Channel 4's chief executive since 1988, is to leave the company and television altogether, it was announced last night.

In a statement which shocked the industry, the board of Channel 4 revealed that Mr Grade would leave the company later this year.

It did not, however, elaborate on Mr Grade's plans, although it appeared that he was intending to pursue wider business interests. He is a director of VCI, a video publishing company, and a non-executive director of First Leisure.

Famous for his cigars and braces, the former controller of BBC1 was described by the *Daily Mail* as the country's "pornographer in chief" after Channel 4 commissioned a series of risqué late night shows including *Eurotrash*, *Red Light Zone* and programmes for gay people.

He has campaigned vocally, and successfully, to end the "funding formula" by which Channel 4 is forced to pay a huge proportion of its profits to the ITV companies, and also last year fought off the spectre

of privatisation Grade has attracted criticism as well for popularising the channel by buying in American imported shows such as *Friends* to push up ratings.

In 1992 he stirred up controversy by speaking out against the new "pseudo-Leninist style of the BBC" in the McTaggart Lecture, the centrepiece of the Edinburgh television festival.

Sir Michael Bishop, chairman of Channel 4, said last night: "Michael Grade has told me he wishes to leave the television industry and pursue his other business interests."

"Since 1988, Michael has directed Channel 4 with skill, determination and style. He has successfully steered the channel through its most testing period of transition in selling its own airtime, sustaining and enhancing the channel's unique programme remit and campaigning tenaciously on behalf of the company."

Mr Grade has agreed terms for his departure and has given legal undertakings that he will not compete with the channel in his new job.

David Scott, the finance director, was promoted to the new post of managing director to hold the fort.

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QUICKLY

Government defeat
The Government was defeated as the Commons voted by 273 to 272, a majority of one, against an amendment tabled by ministers to the Education Bill.

Hanratty evidence
Supporters of James Hanratty, hanged 35 years ago for the A6 murder, insisted yesterday that the Home Office has had evidence that proved the 25-year-old was innocent since 1964.

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'Aladdin's cave' police raids net eight robbery suspects

Detectives investigating a multi-million pound string of art burglaries were yesterday questioning eight suspects following a series of dawn raids across central London.

The men were arrested following a four-month inquiry into at least 40 burglaries at galleries and private homes in Kensington, Notting Hill and Hampstead over the past three years.

The investigation, code-named Operation Schwelmen, started last September when a raid on the north London premises of a suspected middleman uncovered a £3m "Aladdin's cave" of rare stolen books, paintings, statues and other antiques. That 1,500-item haul included five Dutch masters, thought to have been snatched from a Bond Street gallery, together worth £500,000.

A team of 15 officers from Scotland Yard's Central London Crime Squad tracked the gang responsible for the robberies, which took place when the target properties were unoccupied and which used vans or lorries to carry off *objets d'art* and furniture. More than 50 officers took part in yesterday's raids, and the suspects are being interviewed at Charing Cross police station. **Jojo Moyes**

E.coli toll rises to 18

The death toll in the Scottish food-poisoning outbreak has risen to 18 after an 86-year-old woman succumbed to the infection.

Health officials confirmed last night that a woman from the Wishaw area, who was admitted to Monklands Hospital, Airdrie, on 9 December with *E. coli* 0157 infection, died on Friday.

The total number of fatalities is now almost equal to the worst-known outbreak of the infection, when 19 pensioners died in 1985 at an old people's home in Canada.

Germany fears first v-CJD death

German doctors are to perform a post-mortem on a 41-year-old woman whom they suspect may have died from the "new variant" form of the brain disorder Creutzfeldt-Jakob disease (CJD), which has been linked to mad-cow disease, or BSE.

If the case is confirmed, then the woman would be the first known victim of v-CJD in Germany. A growing body of evidence has linked the new variant to exposure to BSE-infected products - almost certainly food. The test on the woman follows the announcement last week of the death of a cow, born to an animal imported from Britain, in the fifth case of BSE reported in Germany, which has already ordered the slaughter of more than 5,000 cattle imported from Britain and Switzerland. **Charles Arthur**

Barbie takes her crown at last

Barbie, the 37-year-old doll, has been named toy of the year for the first time in her history.

The British Association of Toy Retailers said the Mattel doll, which also won the Doll of the Year and Best Girls' Toy titles, had now achieved cult status. Andrea Bergstein, a senior product manager at Mattel said: "[Barbie has] always been top of the trends. She has always provided girls with what they want."

The boys' toy of the year was Barbie's long-time rival, Hasbro's Action Man - which was toy of the year in 1966. Buzz Lightyear, the Christmas sell-out action doll from the film *Toy Story*, was awarded a new title, the Pimpernel Award, for being highly elusive - like his Scarlet namesake.

Howard challenges Bulger ruling

The Home Secretary, Michael Howard, yesterday began a challenge in the House of Lords to a Court of Appeal ruling that his decision to impose a minimum 15-year sentence on the 10-year-old killers of the toddler James Bulger was unlawful. The judgment last July ruled that Mr Howard wrongly took into account public petitions calling for Robert Thompson and Jon Venables to be locked up for life. But yesterday David Pannick QC told five Law Lords that Mr Howard had also read reports about the upbringing of Thompson and appeals about the lesser role in the murder of Venables, before reaching his decision. Thompson and Venables abducted James, 2, from a shopping precinct in Merseyside, and murdered him on an isolated railway line in Walton, Liverpool, on 12 February 1993.

Hockney's friends help the deaf

David Hockney, the artist who confesses to being mad about dogs, has donated a famous print of his canine best friends Stanley and Boogie to a charity for deafness.

Hearing Dogs for the Deaf, which trains dogs to alert a deaf person by touch and to guide them to a sound, contacted Hockney last year asking for his support, and he gave the charity permission to print 1,000 copies of the Dachshund sketch. Hockney himself is now almost completely deaf. Recent self-portraits show his face to be uncharacteristically glum, and in each an ear has been omitted.

The prints are being sold for £10; anyone interested in purchasing one should contact Heather Shute on 01993-831909 (evenings).

people



AUNTIES UNITED: Journalists Eve Pollard, Claire Rayner and Anne Robinson among friends and former colleagues at a memorial service to the agony aunt Marjorie Proops. The *Mirror's* plain-speaking columnist died in November, aged 85, after a near lifetime on the staff. Speakers at the service at St Bride's in central London yesterday included Gerald Kaufman MP and a former *Mirror* colleague, Mike Molloy. Photograph: PA

Media blamed as Ireland's first woman cabinet minister quits

Maire Geoghegan-Quinn, Ireland's first woman cabinet minister since independence in 1921, yesterday stunned the Dail by abandoning her high-flying political career, blaming media intrusions into the lives of her children.

The woman many expected would become Ireland's first woman Taoiseach was runner-up to Bertie Ahern in the battle to lead Ireland's largest party, Fianna Fail, after the November resignation in 1994 of Albert Reynolds.

Her decision not to run in this year's general election is a major blow to the Fianna Fail front bench, which relied heavily on her polished stateswoman's delivery under pressure.

In a surprise statement she complained at "the increasing tendency to regard as fair game" other members of a politician's family "as if all of them had put themselves up for election".

The final straw appears to have been recent tabloid reporting of her 17-year-old son's involvement in a school fracas. "If his mother had been a homemaker, an architect or a businesswoman, this simply would not have been happened," she added.

Among the most articulate members of the Dail, the invariably immaculate Mrs Geoghegan-Quinn, 46, is at least as fluent in Irish, her first language. A best-selling novelist, she is also a broadcaster on the recently-established Irish language TV service, *Tellis ne Gaelige*. She was a prominent figure in the Northern Ireland peace process in the run-up to the 1993 Downing Street Declaration.

Her most recent cabinet post was at the justice department, where, in a famous confrontation she savaged the outgoing attorney-general, Harry Whelehan, a key figure in an extradition scandal, moments before he was to receive seals of office as head of the High Court from the State President, Mary Robinson.

Daughter of a Fianna Fail politician, John Geoghegan, she inherited her Galway West seat in 1975 after a by-election caused by his death.

Her Dail seat had been held by the smallest of margins in recent elections but this is not thought to have affected her decision. Her party may yet woo her as a candidate for the presidency, if Mrs Robinson decides against seeking re-election when her seven-year term ends in November. **Alan Murdoch**

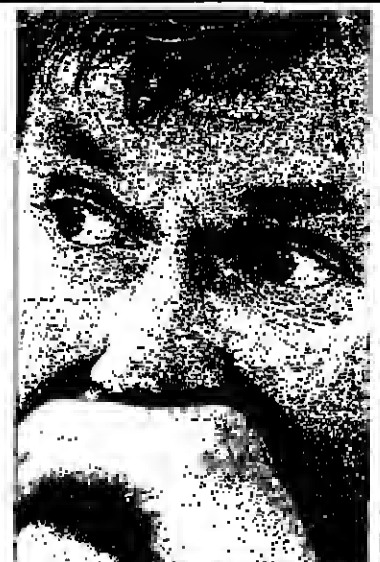
Why I like the trade unions, by BA chief

Having been exposed as a frequent luncher with Tony Blair, Robert Ayling, the chief executive of British Airways, is now cuddling up to the union movement.

Mr Ayling has put his name to promotional material published by the Amalgamated Engineering and Electrical Union. His imprimatur has been granted to an AEEU booklet issued to potential inward investors from the Far East and Europe, in an attempt to allay their fears about British trade unionism.

The BA chief enthuses: "We have worked with the AEEU for many years and over that time have developed positive relationships. The AEEU well understands the benefits flowing from business success and we are looking forward to working together on the difficult challenges now facing British Airways Engineering."

The engineers at BA, like many of the company's employees, are facing an uncertain future. Mr Ayling is considering hiring out the engineering interests into a separate company and inviting outside investors to take a share.



Bob Ayling: 'Positive relationships' with unions

BA management is also courting the British Airline Pilots' Association. In the brave new world of aviation, flight crew are still considered essential to the operations of an airline. Mr Ayling, 50, who has held his post for just over a year, is not quite so close to the Transport and General Workers' Union, which represents baggage handlers, who may be regarded as dispensable. **Barrie Clement**

Dissident goes back to Moscow

Natan Sharansky returned to Moscow as an honoured Israeli minister yesterday, 10 years after he was freed from a KGB jail and turned over to the West in one of the most dramatic prisoner swaps of the Cold War.

Sharansky, a Soviet-era dissident who served nine years on charges of spying for Washington, was received with honours by Mayor Yuri Luzhkov in the granddair of Moscow town hall - a far cry from the squalor of the KGB prison where he spent his last Moscow days.

"As a former Muscovite, forced to leave Moscow, I return as a minister of Israel to a city of free people," he said after signing a trade agreement.

Sharansky said he would visit old friends who had joined him in human rights demonstrations in the 1970s. Today he is scheduled to visit the Lefortovo prison where he was held after his arrest.

He was made a minister in Benjamin Netanyahu's government after the success of his Yisrael ba-Aliya (Israel of Immigration) party in Israel's elections last May. **Reuters**

briefing

HEALTH

Eye test cost puts over-60s at risk of blindness

More than half a million people aged 60 and over risk losing their sight because they cannot afford eye tests, according to a report from the Royal National Institute for the Blind.

In addition, it revealed there was widespread confusion over who was qualified for exemptions to eye test charges, and said this was putting people off making appointments. Two out of five people who were exempt from eye test fees thought they had to pay.

As a result, potentially blinding eye conditions like glaucoma and diabetic retinopathy, which can be treated if spotted early, were going undiagnosed. More than a quarter of all people aged 60 or over have not had an eye test in the last two years, the minimum recommended period for that age group. The RNIB called for free eye tests for everyone aged 60 and over, and other high risk groups.

Losing Sight of Blindness, £5, RNIB Customer Services. Tel: 0345 023153. **Glenda Cooper**

MEDIA

Branson's profile inflated

A new survey confirms what every newspaper reader in the country already suspected: Richard Branson has been generating more headlines and column inches than any other British celebrity.

For the past three months the Virgin tycoon has been the subject of more press attention than Labour leader Tony Blair, the Princess of Wales and even the Spice Girls, according to the latest quarterly report from the newspaper cuttings service Durrants.

In recent weeks, the 46-year-old multi-millionaire has raised his media profile to new heights through his abortive round-the-world balloon flight. Undaunted by the failure of that enterprise, he grabbed the headlines again by jetting off to New York with Chris Evans in a bid to sign the DJ for Virgin Radio.

Durrants, which scans nearly 200,000 newspaper and magazine cuttings a year, is forecasting that Sinn Fein leader Gerry Adams, Referendum Party leader and financier Sir James Goldsmith and *Evita* composer Sir Andrew Lloyd Webber will feature prominently in its next quarterly survey. **Rob Brown**



LAW

Reform to curb paedophiles

A new criminal offence to deter paedophiles from seeking or accepting work with children was proposed in a Government consultation paper yesterday. Ministers seek views on the details of the offence, such as the age of the children who should be protected, the jobs and activities which should be covered, how the offence should be formulated and the effect on employers and voluntary organisations.

The paper proposes that the offence carry a maximum penalty of six months' imprisonment or a £5,000 fine.

Sex Offenders: A Ban on Working with Children, from Betty Maxon, Sentencing and Offenders Unit, Home Office, Queen Anne's Gate, London SW1H 9AT. **Patricia Wynn Davies**

ENVIRONMENT

Warning on global warming

Britain's claim to be a world leader in tackling global warming may turn into hot air unless ministers devise new energy policies; Government environmental experts warned yesterday. Coal, oil, and gas, which produce the greenhouse gases causing climate change, need to be taxed to reflect their threat to the environment, while non-polluting energy sources such as wind turbines and solar cells need support, said the five-member Panel on Sustainable Development, in its annual report.

The panel called for the Government to end subsidies which encourage environmental damage and to scrap remaining tax incentives for company car use. It also advocates a tax on development on green-field sites.

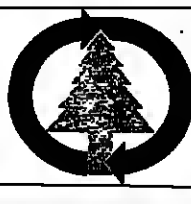
British Government Panel on Sustainable Development Third Report, free from the Department of the Environment. Tel: 0181 691 9191, quoting ref 96EP229. **Nicholas Schoon**

PRISONS

Chronic overcrowding revealed

Six of Britain's prisons are now holding more than one and a half times the number of prisoners than they were designed to hold, according to official figures, which point to a huge imbalance, with some jails bursting at the seams while others have plenty of space.

Shrewsbury prison is revealed as the most overcrowded jail in England and Wales. With 315 prisoners instead of 176, it has 79 per cent more inmates than its certified normal accommodation level (CNA). The prisons worst affected by the rapidly escalating jail population - now at a record 60,000 - are old Victorian jails in built-up areas, said Richard Tilt, Director General of the Prison Service, in a parliamentary written answer. **Ian Burrell**



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Ian Beale, played by Adam Woodyall in the BBC's *EastEnders*, lies in a pool of blood after being gunned down

Contract killer for hire: price from £1,000 upwards

Jason Bennetto
Crime Correspondent

In the semi-darkness of an early January morning, the body of Brandon Hale was discovered by a woman walking her dog. The 48-year-old gambler was lying face up in woods in north London. Above his left eye was a neat hole made by a single bullet.

Mr Hale's death, which happened two weeks ago, is believed to be the latest murder carried out by a group of professional criminals prepared to kill for cash.

David Veness, Scotland Yard's Assistant Commissioner in charge of specialist operations, has revealed to *The Independent* that the police believe that up to 20 hitmen – possibly more – are operating from the south east of England.

The Metropolitan Police's Organised Crime Group are investigating the contract killers who hire out their services from £1,000 to £20,000 per murder.

Part of the reason for the upsurge is the greater availability of handguns. Increased rivalry between traditional crime gangs, particularly over drug deals, has also led to a rash of killings.

A north London crime family, which has a reputation for

extreme violence, has also been linked to the spate of murders. But one of the greatest problems the police face in convicting the professional hitmen, and in a small number of cases women, is the secrecy and unpredictability surrounding the criminals involved.

Contract killers are usually hired because they have no direct links with their chosen victim and are therefore unlikely to be traced back to their employer.

An underground network of contacts exists in which contract killers become known to a small group of people. In addition, professional killers are feared by other criminals and potential police informers.

The stereotypical image of deals discussed in the back rooms of dingy pubs still holds true for some jobs, but discussions are more likely to take place in greater secrecy and in more salubrious surroundings.

Interviews with hitmen are rare. However in Tony Thompson's book *Gangland Britain*, a man named "Max", who claims he is a contract killer, said he charged about £10,000 for each job. "It's quite a lot, but people will do it for a lot less than that nowadays. I mean, you can go down the road and get some coke-head teenager to do it for five hundred quid, but will he

do it properly?" When asked about what weapons he used he replied: "You get a nice thirty-eight revolver, snub-nosed, it's very small, very compact, very powerful. It'll rip through people. You get some nice nickel- and lead-tipped bullets ... they leave nice clean holes."

An example of a traditional hit was the £20,000 contract killing of Donald Urquhart who was shot dead in a London high street.

Mr Urquhart, 55, a millionaire businessman, had been walking with his girlfriend in January 1993 when Graeme West ran up to him and fired three shots from a pistol into his head before escaping on a motorcycle.

West was jailed for life. It later emerged that he had climbed the ladder of south London's underworld from club bouncer, debt collecting and eventual promotion to contract killer.

Police suspect that at least three businessmen, who have never been brought to court, were involved in the killing.

Contract killers are sometimes brought in from outside cities to work in areas where they are unknown to the police and criminals. In one of the most extraordinary cases, two men hired a Maori hitman from New Zealand for £7,000 to murder a London roofing

Caught up in a deadly business



In Rangimaria Ngarmu, Britain's first known woman contract killer, was jailed for life in December 1994 for shooting dead a hospital patient four times in the head and body for £7,000.

Two men hired the Maori hitwoman to murder a London roofing contractor with whom they had a business feud. To Rangimaria Ngarmu, 27, killed Graeme Woodhead while he was having treatment in the Royal Free Hospital in north London. The two men who had hired her were given life sentences.



Donald Urquhart was killed by Graeme West for £18,000 in December 1994 as he walked with his girlfriend, Pam Lamphorne (with whom he is pictured above), on a west London street.

West, a former builder, was jailed for life after he shot Mr Urquhart three times in the head before fleeing on a motorbike. He spent four months planning the hit, but was caught after he told a friend, who informed the police. He is believed to have been hired by a business rival of Mr Urquhart.



Brandon Hale, aged 48, who was known to be a heavy gambler, is believed to be one of the latest victims of contract killers.

He was found shot dead in a wood in Highgate, north London, two weeks ago.

He had been beaten as well as being shot above the eye. Detectives believe that Mr Hale, who had been a prolific gambler and often visited casinos in the West End of London, may have been killed over a row involving betting debts.

contractor with whom they had a business feud. To Rangimaria Ngarmu, 27, was jailed for life in December 1994 for shooting her victim four times in the head and body.

Sex as well as money can be a factor behind hiring a killer. In July last year the wife of a private detective was sentenced to life imprisonment for hiring a hitman to beat her husband to death at their home in Walsley, Sutton Coldfield.

Ethel Trigwell, 43, was said to have taken out a contract on her husband, Barry, 44, with contacts in the Johannesburg underworld.

Mrs Trigwell was having an affair in South Africa and knew her husband was worth more dead to her than alive.

And now for the eleventh commandment: Mea culpa

Andrew Brown
Religious Affairs Correspondent

Fundamentalist believers in *The Independent*, who hold that every word of the newspaper's text is literally true, were shocked yesterday by the discovery that the newspaper had printed the 10 commandments wrong.

Faxes and emails arrived pointing out that the list of commandments printed with an article on page two had missed out the fourth: "Remember the Sabbath Day, and keep it holy." It had also broken the tenth. Most of the comments came from An-

glican priests and were surprisingly good-natured considering that the faulty list of commandments had appeared in a story about the supposed ignorance of Anglican clergy. A telephone poll had found that many of them could not recite all ten commandments off the top of their heads.

Part of the problem derives from the fact that there are a lot more than ten specific commandments in the list of prohibitions and exhortations which God gave to Moses on Mount Sinai, and there are two traditional ways of organising them. The Roman Catholic Church runs the first

two together, so that the prohibition against the worship of graven images becomes part of the first commandment ("You shall have no other gods before me").

Most Protestant churches, on the other hand, leave those two commandments separate, and run together the closing prohibitions against coveting various forms of your neighbour's property: his ox, his slaves, and his wife. This has the advantage of making it clear how important it is not to worship graven images. The Catholic arrangement, on the other hand, allows them to stress the fact that coveting

your neighbour's wife is not quite the same sin as coveting his ass.

Both schemes, however, preserve a separate commandment, the sixth, against adultery; and both print the fourth: "Remember the Sabbath day, to keep it holy," as does the Jewish arrangement, from which all other derive.

The commandment disappeared from the *Independent*'s list yesterday because of a less-than-authoritative reference book. However, in view of the obvious difficulties of squeezing all these prohibitions down into ten, it is clearly time to expand them a little; and we propose an

Heath sails into 'Britannia' row

Colin Brown
Chief Political Correspondent

Sir Edward Heath fired a broadside yesterday at the Government's handling of the decision to build a £60m replacement for the Royal Yacht *Britannia*, accusing ministers of "dragging the Queen" into the election campaign.

Ministers were kept on the defensive by his outburst as senior backbench Tory MPs privately joined the former prime minister in criticising the Government, although there was no

suggestion of back-tracking over the decision. Sir Edward, a former international yachtsman, accused ministers of acting in a manner which was "not honourable" for failing to reach a consensus with Labour before announcing the decision to provide £60m in taxpayers' money for the yacht.

The attempt to wrong-foot Labour by announcing the decision had produced a "mess" and it should have been left until after the election. "The Conservative Party above all must be an honourable party and I do

not believe the actions which have been taken are honourable ones," he said on BBC radio.

"As it is, it has exposed us in the election campaign of being up to trickery in what we are doing about the royal yacht. We are open to the accusation that we are constantly emphasising, that not a penny more than the budget must be spent, and accusing the Labour Party and our opponents of being reckless with their money."

Sir Edward said it would be a mistake for the Tories to include a pledge to fund *Britan-*

nia in the election manifesto. Lord St John of Fawley said it was "absolutely right" that *Britannia*'s cost should be met from public funds. But he had great sympathy with the Queen over her reported dismay at being drawn into the political campaigning.

Labour's deputy leader, John Prescott, reaffirmed there would be no public money available for *Britannia* – in the first two years of any Labour government.

David Aaronovitch, page 6
Donald Macintyre, page 15

Dose for dead baby '100 times too much'

A premature baby died after a junior doctor gave her more than 100 times the required dose of morphine, an inquest was told yesterday.

Rotherham Coroners Court was told that Louise Wood was given a massive overdose after developing breathing difficulties at Rotherham District General Hospital last year.

Lynda Wood, 36, of Thrybergh, Rotherham, South Yorkshire, gave birth to twins Natalie and Louise in September 1995. The girls were taken as a matter of routine to the neonatal intensive-care unit, but Louise developed breathing difficulties when she was just 24 hours old.

The infant suffered a pneumothorax – air escaping from the lungs into her chest cavity – and doctors decided to apply a chest drain.

The inquest heard that registrar Dr Vivian Michael decided to sedate Louise with morphine to relax her muscles and allow the process to be carried out.

A baby should be given 10 micrograms of morphine per kilogram body weight – Louise, weighing 1.6kg, should have been injected with 16 micrograms.

The inquest heard that Senior House Officer Dr Hilary Evans told Dr Michael the correct dosage but then miscalculated and drew up 100 times the dose into two phials.

Paediatrician Dr John Puntis, who was called in by the coroner to review the medical case notes, said: "Dr Evans was a very new, very junior doctor, who had moved into the neonatal ward, where drug doses would be completely unfamiliar and where the environment would be stressful."

"One would expect her to be familiar with the kind of dose that would be given to an

adult," Coroner Stanley Hooper, who described Dr Evans's actions as "damn silly or reckless", said her case notes had contained "seriously wrong" errors.

He continued: "The notes are satisfactory, at least until the child was given a dose of morphine, which I will be hearing was 100 times what was appropriate."

Medical staff tried to counteract the morphine overdose with Naloxone, but attempts to resuscitate were unsuccessful.

Pathologist Professor Michael Green found the cause of death to be poisoning by morphine.

Toxicologist Dr Robert Forrest, who tested a blood sample, found: "The concentrations of morphine in the blood sample are extremely high and are entirely compatible with a potentially fatal overdose."

Pathologist Prof Michael Green told the hearing: "I regard this as an unnatural death."

No case histories exist on the effects of morphine overdoses on babies and Prof Green said he could not be certain "beyond reasonable doubt" that Louise had not died as a result of her weak lungs.

But he added: "The most likely cause of death in poisoning by morphine. It is a high probability." Criminal courts require beyond reasonable doubt to be established as a cause of death; an inquest needs it only to be probability on the balance of evidence.

Prof Green said the only comparison to be drawn was with heroin abusers who "die on the needle" two to seven minutes after overdosing.

The overdose causes the heart and lungs to fail in adults and this would have happened in the case of Louise. The inquest continues.



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news

Home Office accused on Hanratty evidence

Jason Bennetto
Crime Correspondent

Supporters of James Hanratty, hanged 35 years ago for the A6 murder, insisted yesterday that the Home Office has had evidence since 1994 that proved the 25-year-old was innocent.

As *The Independent* disclosed yesterday official inquiries are understood to have concluded that Hanratty was wrongly

hanged for murder, Michael Howard, the Home Secretary, is poised to refer the case to the Court of Appeal.

The Home Office yesterday confirmed that an announcement was due within the next eight weeks. But campaigners believe the case has been dragged out far too long.

Hanratty, a petty criminal, was hanged at Bedford jail in April 1962 after being convicted

of shooting a government scientist, Michael Gregsten, at Deadman's Hill, on the A6 in Bedfordshire in 1961.

He was also found guilty of raping Gregsten's girlfriend, Valerie Storie, and shooting her, leaving her paralysed.

A 400-page submission arguing for the case to be referred to the Court of Appeal was submitted to the Home Office in 1994. Bob Woffinden, who was

responsible for a number of television documentaries into the Hanratty case and who is writing a book on it, said: "We would all wish that these things were dealt with much more speedily."

Mr Woffinden added that the evidence against the conviction was "overwhelming". It included details of all his placing Hanratty hundreds of miles from the murder scene.

Geoffrey Bindman, the solicitor working for the Hanratty family, said: "I have no doubt at all that James Hanratty would not be convicted if he faced a trial today."

However he warned: "I am not confident that the Home Office or ministers will automatically reach the right decision."

Scotland Yard completed an 18-month inquiry into the case last year, which is understood to have concluded Hanratty

was innocent. The Home Office is understood to support this. Hanratty wrote to his family on the eve of his execution insisting that he was innocent and asking that he be cleared of his name.

Since then his family has led a campaign to clear him. His late father, James, lobbied MPs, and now Hanratty's mother Mary and three brothers are hoping their years of fighting to clear his name have paid off.

Another former criminal, Peter Alphon, has been accused of the murder. Mr Alphon has denied he was the killer, despite earlier reported confessions.

A Home Office spokeswoman said yesterday: "We are considering the case but we don't have a date... We do, however, hope it will be soon. We would like to see this case, and others that are being considered, to be concluded before

the new Criminal Case Review Commission comes into force."

The independent commission, which will take over the role of deciding which cases of alleged miscarriage of justice should go to appeal, is due to take over on 31 March.

Other cases being reviewed include that of Derek Bentley, who was hanged on January 28 1953, for the murder of a police officer.

The news from Swampy and Animal: We shall not be moved

Louise Jury

Rags of blankets hang like flags at half mast from the trees which were once protesters' homes.

As workmen hacked the branches from the giant oak whose misfortune it is to stand on the route of the planned A30 dual carriageway in Devon, under its roots the last five demonstrators on the site scattered deep into the tunnels.

The conflict at Fairmile, the last of the three protest camps along the road-improvement scheme, had reached a stalemate yesterday.

At the weekend, the Fairmile Five issued their demands which included a plea for a new inquiry into the project. Under-sheriff Trevor Coleman rejected the demands, saying that they were totally unrealistic. Yesterday everyone seemed resigned to sitting it out.

Simon Barnett, the deputy under-sheriff for the eviction, said that it could be days, even weeks, before the site was clear. But he added: "It would be in everybody's interests if they came out now. Their lives are in extreme danger."

It is a danger shared by the

eviction tunnellers. The eight-man specialist team is advancing foot-by-foot in pursuit of Swampy, Welsh John, Ian, Dave and the only woman, Animal.

The work is slow. "The earth is like sand, it's very fragile," Mr Barnett said. "The shoring up done by the protesters is very poor. They have used rotten timbers... It's a very bad job indeed."

The tunnellers have progressed about 20ft. Yesterday they broke through a second steel-reinforced wooden door and then a third, which had blocked the way to where several tunnels branch off the main shaft. But now the five protesters have split up inside, leaving the workmen to ponder the extent of the labyrinth dug in the last two years.

Outside the barbed wire and fencing which guards the tunnel entrance, two dozen more supporters play the mandolin, the penny whistle and the didgeridoo with occasional bursts of drumming, like a defiant warning to the 120 security guards and 50 police that the fight is not over yet.

A local man had volunteered as official observer for the en-



Holding out: Swampy, foreground, and one of his fellow protesters against the A30 road scheme in the tunnel network at Fairmile, Devon

Photograph: Mark Clark/Apex

vironmental campaign group Friends of the Earth, although he was not a member, and was photographing workmen as they sawed up a treetop platform and dropped pieces to the

ground. There are fears that a hader sett has been disturbed by the process. But he said: "They're much more careful when you have the camera on them."

Villagers treat the scene like part of a good day out. They come walking their dogs, bringing their children and grandchildren. Their feelings are mixed. Bridget Williams, of nearby Cadhay, in her fifties, said: "I think the protesters are brilliant. It's such a shame to see the trees coming down and people should make a stand for what they believe in. But we do need the road very much. The old one's so dangerous. There's an accident every weekend. If

we don't see it we can hear the ambulances."

Penny, a nurse from Exeter, came bearing food. "It's my way of giving support," she said. "I'm too old to be doing what these youngsters are doing but there are probably a lot of local people who have concerns about what is going on here. I feel that the traditional or conventional approach has failed."

Protester Tabs, 20, was grateful for the supplies but says even without the external sustenance

they would still be there. "Where there's a will there's a way," she said.

The demonstrators sense that their campaign is now in its dying days, that it is a question of when, not whether, the final protesters will be brought from their cramped underground home for almost inevitable arrest. Then there will be nothing left to stop the contractors moving the big machinery in to transform the rich red Devon soil into the new road.

But the resolute handful remaining will refuse to budge until that day. "We're here," said Tabs. "We can't think about anything else at the moment."

Radical environmental protesters are hoping the site of Manchester airport's proposed second runway will become the venue for the next major direct action against construction projects which harm the environment. About a dozen have already taken to the trees on land to be covered by the runway.

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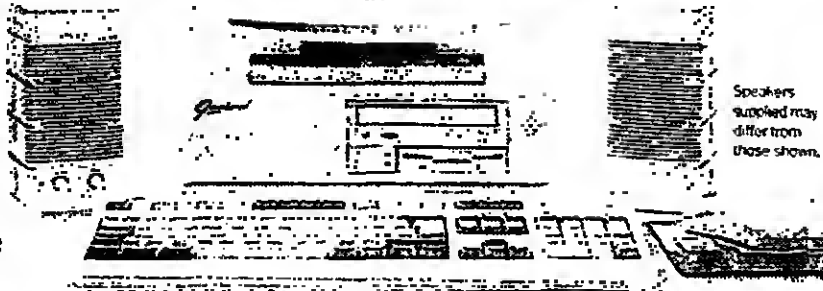
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Ford pays truckers £10,000 as race battle comes to end

Barrie Clement
Labour Editor

A six-year-old battle between the Ford motor company and union leaders over alleged racism in recruitment ended in a £100,000 out-of-court settlement yesterday.

As part of the deal, seven black and Asian workers who were denied jobs as Ford lorry drivers shared £70,000 in compensation, according to company sources.

The agreement, struck on the day that industrial tribunals were about to start, also involves new selection procedures for the £30,000 a year jobs - the highest paid among manual workers at the company.

While some 45 per cent of workers at Ford's Dagenham plant are black or Asian, less than two per cent of the 300 employees of the truck fleet, also

based at the Essex complex, come from the ethnic minorities.

In answer to allegations about the recruitment system, the company has agreed that outside independent specialists will help in the assessment and training procedures. The company has also agreed that its "ethnic monitoring" system will be extended to the truck fleet.

Bob Purkiss, equality officer at the Transport and General Workers' Union, which backed the seven who brought the case, said he was "very happy" with the deal. "We have reached a full agreement with the company and it is now incumbent on everyone to implement it," he said.

He argued that Ford was not among the worst transgressors when it came to discrimination. "Look at the

banks, look at the City, where are the black people there?" he asked.

A spokeswoman for Ford conceded that it would be many years before the ethnic mix of lorry drivers would reflect the composition of the main factories at Dagenham because there was a very low labour turnover.

Ford had been accused of acquiescing in a system of recruitment which effectively handed jobs down from father to son, thus excluding ethnic minorities. The truck drivers are generally regarded as the most industrially powerful group of workers in Ford. Because they deliver Ford parts from plant to plant throughout Europe, they can bring the whole operation to a halt within days.

That power has increased in recent years as the "just-in-time" principle of production

has reduced the number of components kept at each individual site.

The truck drivers have been highly critical of the TGWU, their own union, and have voted to join the rival United Road Transport Union.

Mr Purkiss was at pains however to point out that the tribunal cases were taken against the company not the truck drivers.

Jack Nasser, chairman of Ford of Europe, has agreed to meet Ian McCartney, Labour's chief employment spokesman and other MPs to discuss the plan to shed 1,300 jobs from Ford's Halewood plant.

Mr Nasser confirmed that he had met Ian Lang president of the Board of Trade, to ask whether grants would be available to pave the way for fresh vehicle production at the Merseyside plant.

Cellmate 'was told of family killing'

A father chose the eldest of his two sons to murder his wife because he was the biggest, a court was told yesterday.

David Howells told a cellmate he had promised to buy his teenage sons, Glenn and John, jet skis and take them on a cruise after they killed their mother, Eve, according to convicted burglar Barry Johnson. Johnson told Leeds Crown Court that Mr Howells, 48, discussed Mrs Howells' murder after drinking alcohol in their cell when they were on remand.

The teacher was huddled to death at her home in Huddersfield, West Yorkshire, in August 1995. Mr Howells, John, 15, and Glenn, 17, deny her murder.

David Howells was playing darts two miles away when his

wife was killed and Mr Johnson told the court yesterday: "I said 'if you weren't there, who did it?' David said 'well, who else was there? Think about it.' I just kept pestering him to tell me. He said that it was his two children. He said he decided to get Glenn to do it because he was the biggest."

"He said he wasn't bothered how it was done - just to make it look as though it was a burglary."

The three defendants allegedly murdered Mrs Howells, 48, because she controlled their lives and they stood to inherit her substantial estate. The court had earlier been told that Mr Howells had found out about his wife's 12-year affair with his best friend.

The case continues.

DAILY POEM

Husband and Wife

By Ian McMillan

We had to move, you see, to be near the husband's work. Literally, the husband's work has taken him all over the place.

I am happy though enough. I can sit at the window and see blackbirds, clouds.

The husband's work, you see, we have to move with it. This time, we moved into the kitchen, last time it was into the shed.

He calls his thoughts 'A letter from head office'. The husband bends over his work making it scream.

This poem comes from Ian McMillan's collection *Dad, The Donkey's On Fire* (Carcanet). The former stand-up comedian and tennis-hall packer will be reading in the Voice Box at the Royal Festival Hall tonight at 7.30pm.



Gainsborough's Couple in a Landscape before the X-ray investigation

The ghost behind the Gainsborough

X-rays reveal hidden masterpiece

David Lister
Arts News Editor

An art expert, disturbed by an untidy skirt in a painting by Thomas Gainsborough, embarked on a piece of sleuthing which has resulted in a major discovery.

Susan Foister, a senior curator at the National Gallery in London, used the latest X-ray technology to "strip down" the picture by the 18th-century British artist. The X-ray revealed a completely different painting underneath.

Ms Foister is organising the exhibition "Young Gainsborough" which opens at the National Gallery tomorrow.

She said yesterday that she had become worried about one picture loaned for the exhibition, *Couple in a Landscape*,

which she had viewed often at the Dulwich Picture Gallery in south-east London.

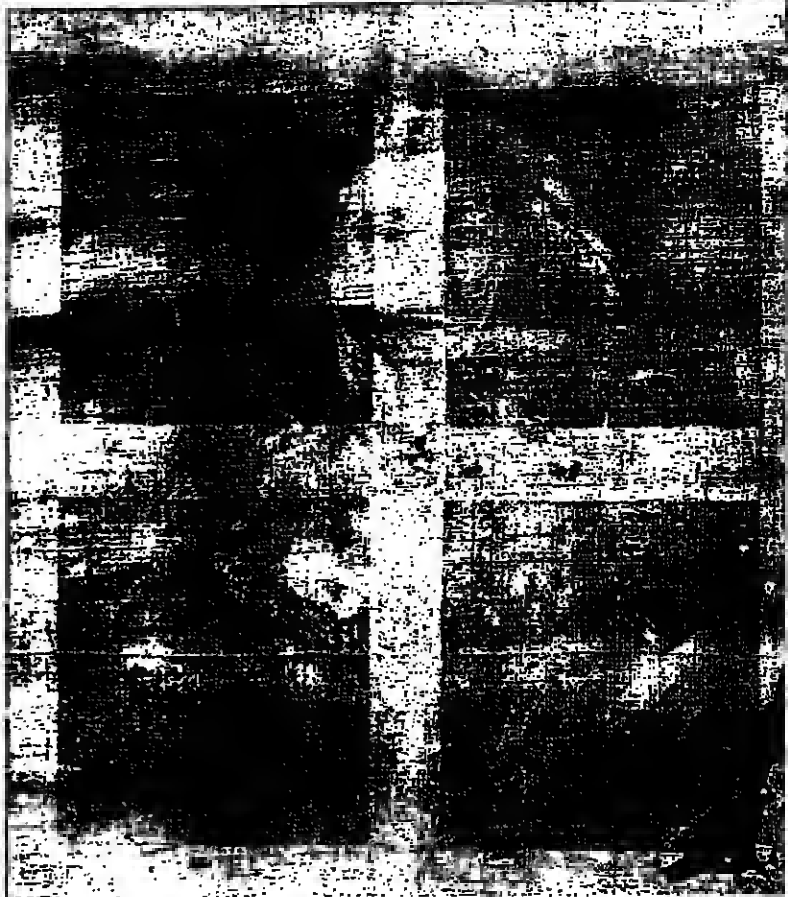
"I was suspicious of the Dulwich picture," she said yesterday. "The skirt of the woman didn't look like Gainsborough's dresses. Normally in his paintings you see the folds beautifully portrayed and the light falling on the satiny-looking skirts. In this one the folds aren't neat. There's a lack of logic in the way the highlights are shown."

"I thought it would be interesting to check it out, so I had the painting brought in early and X-rayed it. The X-ray that came out was quite extraordinary. For a start, Gainsborough had worked on it the other way up, and when we turned it round, we saw there was a painting of the head and shoulders of a woman in a hat

and dress. "We could see that the lips of this woman were partly shading the dress in the later picture."

Ms Foister says that the earlier picture is "without doubt a Gainsborough", though she does not know who the subject is. She says that it is possible that Gainsborough was commissioned to do the earlier painting and the commission was then cancelled. In the interests of economy, Gainsborough might have used the same canvas for the later work.

"It's an impressive portrait of a strong-jawed woman in a beautiful dress," says Ms Foister. "And it's another painting by Gainsborough from a very interesting period in his career, the early period. It's something art historians will be rather excited about."



The earlier picture revealed underneath of an unknown woman

Whitemoor: QC promises more proof

James Cusick

Michael Mansfield QC, the defence barrister who last week alleged involvement of guards at Whitemoor prison in the escape of five IRA prisoners and an armed robber, yesterday said he would be handing "new evidence" on the case to Michael Howard, the Home Secretary.

Pointing to involvement of "forces" who wanted to ensure the IRA ceasefire of 1994 would not work, Mr Mansfield was replying to critics who urged him to deliver any new information. These include Mr Howard and Sir John Woodcock, who conducted an inquiry into the Whitemoor break-out.

After the collapse of the second trial of the prisoners last week, the Conservative MP Ian Bruce increased pressure on Mr Howard to order a new review when he demanded a police investigation into suggestions of a link between the break-out and a missing prison guard.

Mr Bruce demanded that the Home Office look into the disappearance of Peter Curran, an officer at the Cambridgeshire jail. "Mr Curran's disappearance ... could be connected with the break-out. There were things going on he may have been privy to."

Last night police said they were independently reviewing their file on Mr Curran and that there had never been evidence to suggest he had been killed or committed suicide. Two days before he was last seen in March 1995 he was suspended; he had allegedly been supplying toiletries to prisoners. Yesterday his wife, Christine, who contacted Mr Bruce, told the BBC: "I refuse to believe the Prison Service ... have not considered the far-reaching implications

of corruption being uncovered which may in turn lead to the discovery of something very serious having happened to him."

The death of another officer, Marcia Whitehurst, also raised concern. She died last week when her car left the road near Wisbech. She had been going to the trial in Greenwich. Police confirmed they were treating it as "a routine fatal accident".

Last week, after the second collapse of the escape trial, again following prejudicial publicity, Mr Mansfield said key questions remained unanswered. Evidence from cameras around Whitemoor's perimeter had never been found. The missing time pointed to collusion of officers. He said the prisoners did not have time to cut the fencing without alarms being set off; the wire must have been cut for them.

Paul Magee, 48, Gilbert McNamee, 36, Liam O'Duibhir, 34, Peter Sherry, 31, and Liam McCotter, 33, and the armed robber Andrew Russell, 34, were charged with breaking out and possessing a firearm with intent to endanger life and with intent to break prison. They escaped in September 1994 and were recaptured within two hours.

Last night Mr Mansfield said he would be supplying Mr Howard with new evidence. "It's a simple deduction from a sequence of events." Citing confidentiality, he declined to reveal whether the prisoners had made claims about others being involved. Mr Mansfield said the break-out happened less than a fortnight after the IRA called its now defunct ceasefire on August 31, 1994. "There are forces that don't want the ceasefire to work, behind the scenes. This may have been a way to scupper it."

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IN THE HIGH COURT
OF JUSTICE
CHANCERY DIVISION
COMPANIES COURT
IN THE MATTER OF
DEANES HOLDINGS PLC and
IN THE MATTER OF THE
COMPANIES ACT 1985

NOTICE IS HEREBY GIVEN that a Petition was on 26th December 1996 presented to His Majesty's High Court of Justice for the confirmation of the reduction of the capital of the Company from £1,750,000 to £128,038.50 and the cancellation of the share premium account of the Company.

AND NOTICE IS FURTHER GIVEN that the said Petition is directed to be heard before the Registrar of the Companies Court at The Royal Courts of Justice, Strand, London WC2A 2LL on the 5th day of February 1997.

ANY creditor or shareholder of the said Company desiring to oppose the making of an Order for the confirmation of the said reduction of capital and cancellation of share premium account should appear at the time of hearing in person or by Counsel for that purpose.

A copy of the said Petition will be furnished to any such person requiring the same by the under mentioned solicitors on payment of the regulated charge for the same.

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DAILY POEM
Wed and Wife

evidence

politics

Five days on, and there's still only one game in town. For once the focus groups, consulted by the party HQs on all policies, seem to disagree about something. The Tories' groups of key voters are aching for a new royal yacht. Labour's (doubtless watched by Peter Mandelson through a one-way mirror), seem to be saying that such extravagance, at a time of dying patients and illiterate children, is unjustifiable.

Twickenham Tory Toby Jessel told the House that "£60m divided amongst a population of 50 million comes to £1 per head and - over five years - to 20 pence". It was "unbelievably small-minded" of Labour to oppose it. I began thinking about all the things that I would rather do with £1, and reached 100 in five minutes. But my mind is unbelievably small.

Labour and the Lib Dems, meanwhile, wept copious crocodile tears over the fact that the Royal Family had become "embroiled in controversy" by a vote-hungry government. One, Paul Flynn - his voice quivering in sympathy for our wronged royals - quoted the dusty Bible of Commons procedure (*Erskine May*) in support. All this from an MP who'd quite like to see our royals embroiled in oil.

One "embroider", the Lib Dems' Alan Beith, suggested commercial involvement in funding the successor to *Britannia*. Minister Roger Freeman was robust in rejecting any such vulgarity. "Business sponsorship of the royal yacht is not appropriate," he said primly. But why not? If Richard Branson were to plough a bit of much-needed dosh onto

the monarchy, we could once more be ruled by the Virgin Queen.

The £60m thus saved could be better spent, according to the Opposition - practically anywhere. George Foulkes, Labour's aid spokesperson, stymied by the Brownian Blanket (thrown over all

spending commitments) suggested - from a sedentary position, as they say down here - that it might help meet Labour's pledge on beginning to restore the aid budget. I have a suspicion that Mr Foulkes thought no one was listening. Meanwhile Dafydd Wigley

(Plaid Cymru) wanted it spent on a new hospital for Portmadog. In Wales.

John Prescott, goading Hezza over the lack of consultation, called the offending vessel the "Queen Yacht". This makes sense - if her Mum is the Queen Mum (rather than the Queen Yacht). As ever, it isn't Prescott who's wrong, but the daft convention that he so cleverly satirises.

But even he couldn't deal with the claim that a royal yacht is good for diplomacy - or, (as Mr Freeman called it), a "statement about our nation". If true, may I suggest three MPs to sail on board? Number one is John Marshall, who asked whether the minister would "remind our colleagues in Europe that this country has had much greater

success in job creation than they have?" That should go down very well.

Or how about the black shirt, that provoked a colleague to ask when he was planning to march on Rome), who asked about "Brussel's own Josef Goebbels, Geoffrey Martin [head of the commission's office in London] who seeks to involve himself in the British election". The man is a credit to us.

Then there's Cleethorpes Conservative, Michael Brown, who casually asserted that a "large number of vicars are unable to remember more than two or three of the Ten Commandments". Michael himself can recall most of them, beginning with not coveting your neighbour's ass. So how about not bearing false witness?

DAVID Aaronovitch

'Queen Yacht' looms over Westminster horizon

Key dates on the road to the polls

27 JANUARY: Cabinet meets to lay down building blocks for Tory manifesto.

30 JANUARY: Tory loyalists in Reigate by once more to unseat Euro-sceptic MP Sir George Gardiner.

4 FEBRUARY: John Major's keynote speech in Brussels likely to last pre-campaign detailed statement of Government's position on EU and single currency.

5 FEBRUARY: Last day on which the writ for South Wirral by-election can be moved.

8 FEBRUARY: Tony Blair at party's local government conference will make important pre-election speech.

10 FEBRUARY: Launch of Labour's small business manifesto, the first of a string of business initiatives aimed at wooing industry.

14 FEBRUARY: John Major addresses Welsh Tory conference brought forward from July to use as pre-election rally.

16 FEBRUARY: New electoral register comes in. It is in the interests of all parties to hold election after this date to maximise voter turnout.

20-21 FEBRUARY: Conservatives' local government conference.

22 FEBRUARY: Last day to issue writ for a March 20 election.

26-28 FEBRUARY: Labour's Welsh conference where plans for devolution will come under scrutiny.

27 FEBRUARY: Likely date for Wirral South by-election. Tories defend 8,183 vote majority.

7-8 MARCH: Scottish Labour conference.

7-9 MARCH: Liberal Democrats Spring conference.

14-15 MARCH: Tories second largest annual gathering - Central Council in Bath. Before 1992 election this meeting was used as a springboard for campaign.

30 MARCH: Easter Sunday. Bank holidays and school/collage holidays around this date make an 10 April election unlikely.

6 APRIL: Last possible day on which John Major could call a 1 May election. He is on record as stating he will not call an election later than 1 May.

8 APRIL: Election day? The Prime Minister's preference.

11 APRIL: Election day? The Prime Minister's preference.

14 APRIL: Election day? The Prime Minister's preference.

17 APRIL: Election day? The Prime Minister's preference.

20 APRIL: Election day? The Prime Minister's preference.

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28 DECEMBER: Election day? The Prime Minister's preference.

31 DECEMBER: Election day? The Prime Minister's preference.

ELECTION DATES THE ODDS

MAY MARCH
APRIL
FEBRUARY

EVENS
5-4
3-1
50-1

Top judge in savage Lords assault on Crime Bill

Patricia Wynn Davies
Legal Affairs Editor

Britain's most senior judges launched a fresh attack last night on the Government's controversial plans for mandatory tougher sentences for persistent and violent criminals.

Lord Bingham, the Lord Chief Justice, and Lord Woolf, the Master of the Rolls, led a barrage of criticism during the House of Lords' Second Reading of the Crime (Sentences) Bill.

More than 30 peers spoke during yesterday evening's debate, a majority hostile to the proposals which have already cleared the Commons. The Bill represented an "indiscriminate, scatter-gun" approach which was "radically unsound" and which would lead to injustice, Lord Bingham declared.

The Bill obliges judges to pass minimum jail terms on third-time burglars and drug dealers, indeterminate life sentences on second-time violent or sexual offenders unless there are "exceptional" circumstances, and abolishes current arrangements for parole and post-release supervision.

Opening the debate, the Home Office minister Baroness Blatch said that the proposals would provide "protection and reassurance for the public".

But in his first contribution in the Lords' chamber since his appointment as Lord Chief Jus-



Lord Bingham: Made his debut in the House as Lord Chief Justice with a comprehensive critique of the 'overwhelming disadvantages' of the Government's sentencing plans

in place in 1991, was "clear and intelligible... it enables offenders to be reintroduced into the community conditionally".

The Government's plans - based on a slogan, "honesty in sentencing" - involved "overwhelming disadvantages", including the fact that post-release supervision would be shorter than at present. The proposals for prisoners to earn remission would prove "incapable" of fair operation, Lord Bingham said.

Attacking the proposals for obligatory sentences, the Lord Chief Justice warned that the imposition of the automatic life sentence would give rise to indefensible anomalies, while experience in the United States had shown that where the imposition of an automatic penalty offends the conscience of an ordinary person, prosecutors charged on less serious offences than were warranted.

"If, as the century and the millennium slide to a close, our penal thinking is to be judged by the thinking which animates this Bill, then my Lords, I for one will shrink from the verdict of history," Lord Bingham declared.

Lord McIntosh of Haringey, Labour's home affairs spokesman in the Lords, said that Labour did not oppose the Bill "root and branch", although it had a number of concerns and would be seeking changes to parts of it.

Dismissing as a "subversive lie" any suggestion that judges were indifferent to the evils of crime and condemning a list of "vices" in the Bill, Lord Bingham said that the existing parole and remission scheme, put

Labour HQ to write shortlists

Fran Abrams
Political Correspondent

The Labour leadership is planning to impose shortlists on up to five constituencies which have not yet chosen their candidates for the general election.

The move is bound to increase speculation - denied by national officials - that Labour will try to place the Tory defector Alan Howarth in one of its few remaining safe seats.

There are also rumours that a sitting MP may announce his or her retirement shortly before the election, allowing the leadership to choose its own candidate.

The decision, to be confirmed by the party's National Executive Committee tomorrow, would remove local constituency parties from the selection process.

The safe seats where the leadership is likely to be involved in the shortlisting include Don Valley, whose MP Martin Redmond died last week. Mem-

bers in the east London seat of Bethnal Green and Bow, where the MP Peter Shore is retiring, were told two weeks ago that their shortlist was to be drawn up by the national executive. Tory strongholds South Ribbles in Lancashire and Hazel Grove in Greater Manchester will also be included.

Two constituencies where the local party has been suspended because of allegations of membership rigging will also have their selection processes truncated. In Bradford West, the NEC will interview the local party's nominees while in Birmingham, all the 13 people nominated by wards and other organisations in Sparkbrook and Small Heath will compete in a ballot.

A spokesman for Labour's North West region said it would be in a good position to advise the party about the applicants.

"We have a 24-hour a day, seven day a week dialogue with these constituencies... We have the inside information," he said.

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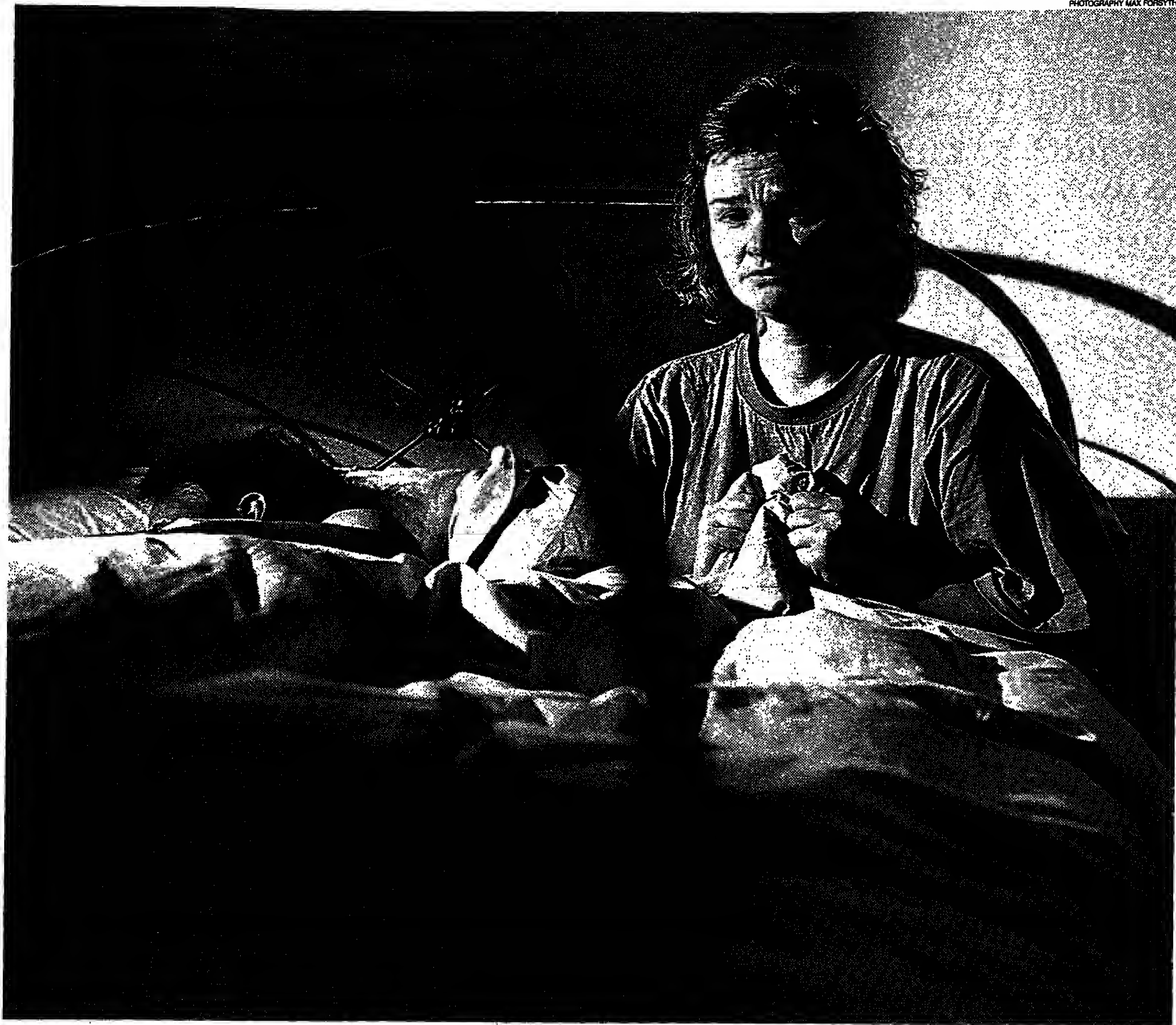
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news

Dorrell moves to abolish mixed-sex wards

Liz Hunt
Health Editor

Mixed-sex wards are to be consigned to health service history, the Government confirmed yesterday, after a lengthy campaign by patients' groups to banish them from hospitals.

Stephen Dorrell, Secretary of State for Health, who has made clear his opposition to mixed-sex wards since his appointment, launched plans designed to protect the privacy and dignity of

patients two years after his predecessor, Virginia Bottomley, promised prompt action.

Mr Dorrell said: "I do not find it acceptable for men and women to have to be accommodated together in old-style, unadapted wards. I want to see good physical separation of beds for men and women, with separate toilet and washing facilities."

One of Mr Dorrell's priorities is to end mixed-sex wards in mental hospitals, which have

been blamed for exposing vulnerable women patients to the risk of abuse by disturbed men.

Mr Dorrell outlined plans which mean that hospitals must ensure they re-organise their accommodation by the end of 1998, so that all patients on a particular ward are of the same sex.

One estimate is that it will cost around £1m for each health authority to comply with the new regulations in the country's 450 hospitals. A 1995 survey of mixed-sex wards carried out

for the NHS Executive in two health regions, North West and West Midlands, found that 44 per cent of hospitals had some wards which did not provide single-sex accommodation.

Big wards may be divided into single-sex bays with separate bathroom facilities, while old-fashioned Nightingale wards could be divided down the middle by partitions under the new plans. Mr Dorrell has made it clear that makeshift partitions or curtains will not be accept-

able. A solid wall will be the only option. Some hospitals may have to invest in new wings.

Alan Langlands, the NHS chief executive, has sent a detailed letter asking all authorities to report through regional offices by the end of February. They must submit timetables showing by what date hospitals in their areas will:

■ have good organisational arrangements in place to separate men and women while they are in hospital;

■ meet the Patient's Charter standard for segregated washing and toilet facilities in full; ■ provide safe facilities for mentally ill people which protect their privacy and dignity.

The letter also includes guidance on the ways in which this can be done.

There will have to be exceptions in emergency cases, including intensive care, accident and emergency, and children's wards, but the letter points out that in all cases staff

and management systems ought to be sensitive to patients' rights to privacy and dignity.

Mr Langlands's letter points out that the Patient's Charter promises separate toilet and washing facilities as the standard and, apart from emergencies, people ought to receive information about the type of accommodation to which they will be admitted and have a right to choose single-sex accommodation.

If someone needs to wait

until suitable accommodation is available, admission should take place as soon as possible, and no later than promised in the waiting-time guarantees, the letter concludes.

A spokesman for the Royal College of Nursing said: "This is excellent news for nurses who have campaigned so long for the right of patients to single-sex accommodation. Health service managers will now need to estimate the true cost of meeting this target."

Miracle skin cream suffers loss of face

Liz Hunt

An expensive skin cream, hailed as a breakthrough in anti-ageing treatments and apparently backed by medical research, may be no more effective than cheap moisturisers, it was claimed yesterday.

The cream Servital, which costs £75 for 50ml, was launched earlier this month with much publicity and, it was claimed, the apparent endorsement of Guy's Hospital in south-east London.

But the doctor at Guy's who carried out research on the cream has now distanced himself from the claims and accused the manufacturers, Syence, of misleading use of his data as a marketing tool.

Dr Stephen Young, a research scientist from the tissue viability unit at Guy's Hospital Medical School, said: "I feel embarrassed about the whole thing and this sort of publicity is not what the hospital and in particular the medical school would welcome. We would not endorse this or any other product."

The apparent support of Guy's for Syence's claims led to reports of "miracle breakthroughs" in some newspapers which would normally be wary of them. *The Independent* did not run the story after checking it out with dermatologists not involved in the research or the launch.

Dr Young told the BBC television consumer programme

Watchdog: Face Value, that he had been conducting a trial on an new ultrasound machine which was able to measure minute changes in skin thickness. Sixty women took part in the trial, 40 used Servital and 20 just massaged their faces. The women using Servital showed an increase in skin thickness.

However, the trial did not compare the cream with any others. *Face Value* asked Dr Young to test three which cost less than £5: Glycerine and Rose Water, Oil of Ulay, and Boots No7 Moisturiser. All thickened the skin measurably.

Guy's said yesterday that its involvement with Syence came when the hospital was seeking funding for its research programme, and that they had hoped to draw attention to the machine by carrying out the tests for a cosmetic company.

Dr Young said: "We were just a research team and we were totally focused on getting funds to carry on the research and to be able to get this prototype technology to the patient."

Sean Campbell, managing director of Syence, told the BBC: "We wanted to have our product tested at an institution that was of repute to be able to do the right sort of tests. The machine that they have at Guy's is the only machine that is able to test without a biopsy, which is the cutting away of the skin... I don't feel we've tried to damage Guy's."



Beauty business: Cheap moisturisers from high-street chemists could prove to be as effective as Servital, which costs £75 for a 50ml bottle and was launched amid claims of a breakthrough in anti-ageing treatment

Atomic laser points the way to future

Charles Arthur
Science Editor

It could become the most precise manufacturing tool that humans ever build. Physicists in the United States have demonstrated the world's first "atomic laser", in which atoms take the place of light, producing a stream of matter that can be precisely controlled.

The result could be atomized machines and measuring instruments, built to tolerances never before possible. Electronic circuits could be manufactured in which each "wire" consisted of a line of atoms - allowing super-miniaturisation a thousand times more compact than is now possible. It will also increase our understanding of the "quantum world" of individual atoms.

An experiment last November at the Massachusetts Institute of Technology (MIT), in Boston, produced a pulse of atoms at temperatures close to absolute zero (-273°C) which behaved as though they were a single "superatom". Physicists call this a "Bose-Einstein condensate" - a state of matter which was only discovered in July 1995.

By cooling the atoms until their random heat energy was removed, the scientists produced particles which were locked into the same energy state, like a resonating solid.

"It's very like a laser source," said Professor Keith Burnett, of the physics department at Oxford University, who has been working with the team at MIT on the theory of the system. "You can then control the atoms very precisely: they all come out in step, moving in exactly the same way. You could aim the beam where you want: it would be the ultimate printer."

Professor Burnett predicts that future versions of the system will be used for manufacturing in the 21st century, and for studying the boundary between the quantum world - in which matter and light can behave like waves and particles - and the macroscopic world, which we experience.

The latest work is reported in yesterday's edition of the journal *Physical Review Letters*, and also in this week's *Science*. "It's fantastic. It's really one of the most exciting things in atomic physics that I've seen in the last 10 years," said John Doyle, a professor at Harvard University.

Professor Burnett said: "My feeling is that this will evolve to be something of considerable interest. At the moment we can only see the obvious applications, like the 'printer' idea. But it will also amplify our understanding of what we can do. We will become quantum engineers."

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An enduring influence, but nation divides over legacy of Steve Biko

Differing views emerge after confession to killing by security policemen

Mary Braid
Johannesburg

Two decades after his murder Steve Biko's influence endures. But the real nature of the Black Consciousness leader's legacy – and who carries his torch – still arouses bitter controversy.

As a new row erupted last night over the confirmation that five former security policemen had applied for amnesty in connection with Biko's death, very different Bikos seemed about to be resurrected by opposing camps.

Biko, a former student leader, founded the Black Consciousness Movement in 1969, and gave up medical training to devote himself to the struggle. The radical black pride philosophy came into its own in the mid-1970s, when the liberation movement appeared to be faltering and many ANC leaders were in jail or exile.

Biko's message inspired a generation and fired the confrontation between schoolchildren and the apartheid authorities in Soweto and other townships. The resulting violence shocked the world, as did Biko's death from brain injuries, after 21 days in police detention a few years later.

Although the ANC leadership was never comfortable with Biko's message, or the confrontations it sparked, the new radicalism changed the course of black liberation.

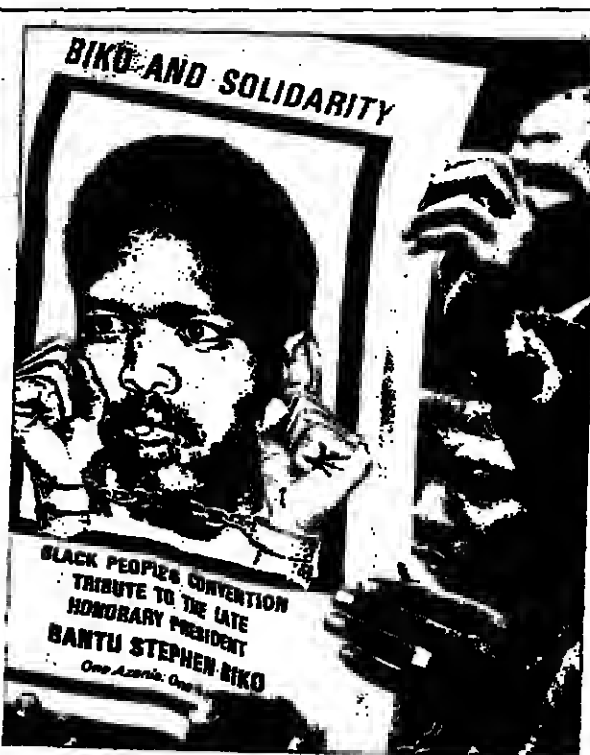
In Sir Richard Attenborough's *Cry Freedom* in 1987, which told the story of the friendship between Biko and Donald Woods, then editor of the *East London Daily Dispatch*, Biko was presented as a figure resembling Martin Luther King.

But the portrayal divided his old associates. Some dismissed it as saccharine-sweet "Hollywoodisation". Woods, they argued, was a prominent member of the white liberal establishment, which was a prime target of Biko's anger.

Though Woods had to flee South Africa following Biko's death, after running anti-government editorials, these old political allies claim Biko could not help but see Woods as part of the problem.

Sirini Moodley, a founder member of the BCM, insists Biko believed that whites could not help blacks. "In his last television interview (Biko) made it clear that black people must pull themselves up by their own bootstraps rather than rely on the assistance of whites," says Mr Moodley. "There was no accommodation for white people in the BCM and that is why Steve was murdered."

But Malusi and Thoko Mphumwana, former political allies of Biko, distinguish between the early and late Biko. They argue that he softened his



Main picture, Biko's funeral in King Williams Town, 1977; above, Biko's death sparked mass protests; below, Denzil Washington as Biko and Kevin Kline as journalist Donald Woods in the 1987 film *Cry Freedom*



Biko on the philosophy of Black Consciousness

In his book *I Write What I Like*, Biko wrote:

“Being black is not a matter of pigmentation – being black is a reflection of a mental attitude.

“Merely by describing yourself as black, you have started on a road towards emancipation. You have committed yourself to fight against all forces that seek to use your blackness as a stamp that marks you out as a subservient being.

...[Black Consciousness is] the most positive call to come from any group in the black world for a long time. It is more than just a reactionary rejection of whites by blacks. The quintessence of it is the realisa-

tion by blacks that, in order to feature well in this game of power politics, they have to use the concept of group power and have to build a strong foundation for this.

“The philosophy of Black Consciousness therefore expresses pride and determination by blacks. At the heart of this kind of thinking is the realisation by blacks that the most potent weapon in the hands of the oppressor is the mind of the oppressed.

“Once the oppressed has been so effectively manipulated and controlled by the oppressor to make him believe that he is a liability to the white man ... there will be nothing the oppressed can do that will really scare the powerful masters.”

stance before he died. His early beliefs, they admit, were that blacks had to withdraw from “partnerships” with whites because such associations were unequal. But the Mphumwanas say the later Biko saw that growing black confidence made a partnership possible.

The ANC strengthened this view of a softer Biko at a recent hearing of the TRC, when it claimed that before his death Biko had been poised to meet Oliver Tambo, the then president of the ANC.

The ANC believes that the planned meeting, not his inability to accommodate whites, was connected with his death, because it held out a promise of greater black unity.

The two women in Biko's life, his wife Ntsiki and his lower Mamphele Ramphela (recently appointed vice-chancellor of Cape Town University), also have different views of the man and his teachings. Ms Ramphela insists he was never anti-white. But Biko's widow, Ntsiki, says the TRC will rob her of justice.

Yesterday's confirmation of the amnesty application was another blow. Last year Mrs Biko complained the ANC did not mark the anniversary of her husband's death and that his grave was unattended and overgrown. “Many politicians in high places seem to have forgotten what they owe Steve,” she said. Ironically, she added that life would have been harder for her and her two sons, Nkosi-nathi and Samora, without the help of Biko's old white liberal friend, Donald Woods.

Olympic bomb guard to net \$1m



John Carlin Washington

Richard Jewell, the security guard wrongly implicated in the Atlanta Olympics bombing, has been doing the rounds of the United States television talk-show circuit, complaining that his life has been ruined.

The lament is beginning to sound a little hollow. The news from Hollywood is that Mr Jewell is about to sign a six-figure contract for exclusive rights to a feature film dramatising his ordeal. Last month the *Wall Street Journal* reported that he had reached a \$1.2m settlement with NBC after the television network had named him as the

prime suspect in the explosion on 27 July, which killed one person and injured 111.

The Hollywood newspaper *Daily Variety* reported yesterday that three studios have been bidding for the Jewell story and that he was edging towards signing with Fox 2000, which offered the most money up-front.

With a book deal almost certain to follow, Mr Jewell, 34, appears well on the way to becoming a millionaire – a status he could not remotely have aspired to before the Centennial Park bomb. As a private security guard who lived with his mother in a humble apartment, nothing had suggested until then that he would have a shot

at the American Dream. In fact, it was in large part because he conformed to the cruel US stereotype of “the loser” that the FBI hit upon him as a possible suspect in the first place. Last October, the justice department issued a statement clearing him of suspicion and since then Mr Jewell has been making hay, savouring the two blessings to which Americans most aspire, celebrity and money. One of the lawyers who is in on the action was quoted last week as saying about a movie deal: “Any interest Richard Jewell has in this is demonstrated by a desire to have the story told correctly. It's not an interest for money. I state that unequivocally.”

significant shorts

Investigative journalist ‘executed’ in Argentina

Argentines have been stunned by the mafia-style weekend execution of a leading investigative news photographer, killed as the worst murder of a journalist since the so-called “Dirty War” of the 1970s. Jose Luis Cabezas, a 35-year-old father of three, was found shot in the head, his hands bound behind his back and burnt almost beyond recognition in his car in the beach resort of Pinamar. Police sources told the daily *La Nacion* smoke in his lungs suggested he had been set alight before he was shot. Cabezas was in the resort to seek pictures of holidaying government officials and top businessmen for the weekly news magazine *Noticias*, known for its aggressive reports on President Carlos Menem and other leading figures.

An hour or two before his body was found early on Saturday, Cabezas had attended a lavish party at the villa of leading businessman Oscar Andreani, a postal services magnate and friend of Mr Menem. Phil Davison

Troops on alert in Albania

Albanian troops deployed around the country yesterday after a weekend of violent protests as ruling right-wing Democrats called for a counter-demonstration against rival Socialists they accuse of stoking the tension.

Armed soldiers surrounded the central bank and guarded state television headquarters in Tirana after clashes in the capital, a prison riot and waves of demonstrations. Soldiers began clearing barricades of rocks erected by protesters to prevent police reinforcements reaching their towns. Two inmates were killed in a riot at a prison in central Albania late on Sunday. The unrest has been sparked by the collapse of pyramid investment schemes in which Albanians have poured millions of pounds in cash. Reuters – Tirana

US ‘anti-Scientology campaign’

The Christian Social Union, Chancellor Helmut Kohl's coalition partner, accused the US State Department of falling for a Church of Scientology hate campaign against Germany. The CSU general secretary, Bernd Protzner, urged Foreign Minister Klaus Kinkel to intervene in Washington to head off criticism the State Department has been reported to be planning against Germany for restrictions on the controversial group. Reuters – Bonn

Yeltsin cancels foreign trip

The Russian President Boris Yeltsin has cancelled a visit to the Netherlands on the orders of his doctors. Doctors had advised Mr Yeltsin, who is recovering from pneumonia, to refrain from air travel. Reuters – Moscow

CIA torture methods revealed

A CIA training manual describes torture methods, such as stripping suspects naked and keeping them blindfolded, that were used on dissidents in Honduras during the 1980s. The booklet advises interrogators to deprive their prisoners of food and sleep and make them stand at attention for long periods. The 1983 manual and another from 1963 were declassified in response to a Freedom of Information Act request from the *Baltimore Sun*. AP – Baltimore

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international

Clergy join crusade against Milosevic

Tony Barber
Europe Editor

More than 100,000 Serbs marched through Belgrade yesterday in a religious procession designed partly to sustain the 10-week protest movement against President Slobodan Milosevic. But a court decision appeared to reverse an earlier opposition victory.

Two dozen Orthodox priests led the procession, one of the largest church-sponsored events in Belgrade for 50 years. Patriarch Pavle, head of the Serbian Orthodox church, praised demonstrators who have staged peaceful protests in Belgrade and other towns every day since the Socialist (ex-Communist) authorities annulled opposition victories in local elections in November.

"Today, eyes are watching us from the sky and ground and are telling us to endure on the holy and righteous road," he said. In Belgrade, the city electoral commission which awarded victory to the Zajedno opposition al-

liance last week said yesterday its ruling had been quashed by the First Municipal Court.

Commission chairman Radomir Lazarevic was enraged by the ruling. "The decision is completely against the law," he told reporters. "Truth and justice are endangered. There is a legal right of the people to start a rebellion."

Opposition rallies have spread to about 50 Serbian towns, but in Belgrade in recent days the number of protesters has fallen from a peak of 100,000 to a hard core of 15,000 to 20,000. Yesterday's march was the largest daytime gathering in the city for more than a month, but it was at least as religious as political in nature, since it officially marked the holiday of St Sava, the 13th-century founder of the Serbian Orthodox church.

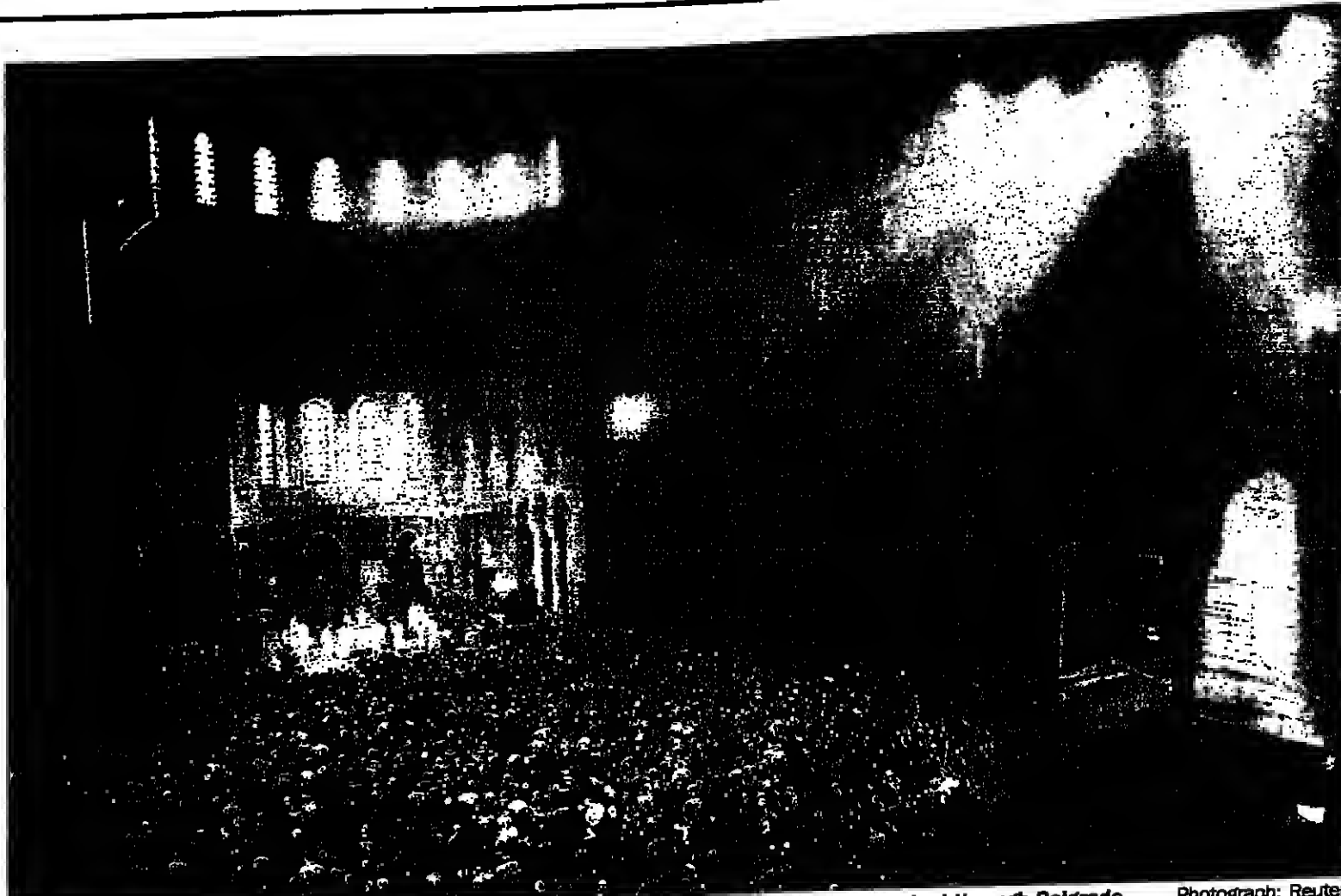
Patriarch Pavle has thrown the church's considerable authority as a symbol of the Serbian nation squarely behind the opposition. However, his motives are more complex than the desire for justice and democracy that has fuelled the protest movement.

During the early period of the 1991-95 wars in former Yugoslavia, he was as much of a Serbian nationalist as Mr Milosevic. The rift that later opened between them owed much to his view that Mr Milosevic had betrayed ethnic Serbs in Bosnia and Croatia by standing aside as they lost their lands in a conflict inspired largely by the Serbian president.

Zajedno legislators yesterday took formal control of Nis, Serbia's second-largest city, where the Socialists conceded this month that they had lost the November elections.

Sixteen Socialist deputies boycotted the ceremony in Nis. Zoran Zivkovic, the likely new mayor, said that five decades of Communist and Socialist rule had left the city "totally ruined".

By mixing restraint with mild repression and by making concessions that seem genuine but eventually turn out to be trivial, Slobodan Milosevic appears to be calculating that he can wear out the opposition in a contest that could last months.



Lighting the way: Worshippers in St Sava Cathedral yesterday, when 100,000 protesters marched through Belgrade

Photograph: Reuters

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Chechens euphoric in vote for freedom

Phil Reeves
Grozny

Hundreds of thousands of Chechens swamped polling booths yesterday for a historic election to choose their own leader and send a defiant message to Russia that they now belong to an independent nation.

A wave of euphoria swept across the small Caucasus republic throughout a festive and frantic day that Chechens seem certain to remember as the moment they sealed their *de facto* victory in the 21-month war with Russia.

Such was the multitude which descended on voting stations, many struggling in from far-flung, bombed-out villages in rickety cars and buses, that the electoral authorities last night kept the polls open for an extra two hours until 10pm.

Although last year's peace accord with Moscow deferred the settlement of Chechnya's status for five years, yesterday's elections for president and parliament were seen by Chechens as evidence that the 1-million-strong Islamic mountain republic has acquired nationhood.

Taisa Karsamayali, a middle-aged woman wrapped in a fox fur against the -5C temperatures, resented being made to vote in Soviet times when the elections were rigged and the candidates were stooges. But yesterday was different: "Today is like a holiday. It was pure joy, because I was voting for independence and for my own country. It was a very important day for us."

She had voted for Aslan Maskhadov, the former separatist chief-of-staff who is the favourite and Moscow's choice, as he is viewed as the most moderate of the five leading candidates. But like most who have endured almost two years of Russian bombs and bullets, she said she would be happy with the outcome no matter who won, even if it was Shamil Basayev, the popular Chechen field commander, whom Russia has branded a terrorist.

Ms Karsamayali, a judge, was standing in brilliant sunshine outside voting station number 41, a gutted general store in Grozny, the capital. The store was being used for refugees from three outlying villages wrecked by Russian bombs during the war. Atchikoi, Yandi and Bamut. Within, the activity was feverish and the enthusiasm palpable.

Grandmothers, dapper young women and middle-aged men in sheepskin hats queued before the curtained booths, coloured bright green, like the Chechen flag, before posting their ballots into boxes and having their right hands sprayed with indelible ink.

Adam Ismaelov, 30, a former Chechen separatist fighter, was at the front. He still carried his sub-machine gun slung over his black leather jacket. He said he would probably choose the interim president, Zelimkhan Yandarbiyev, the right-hand man of Dzhokar Dudayev, the former Soviet air force general who led Chechnya's drive for

independence until his assassination nine months ago. (Grozny has since been renamed Dzhokar-Ghala - "the city of Dzhokar", in his honour). But he added: "It makes no difference to me. All the candidates are like brothers."

The election official in charge of the station, Vakhar Gaysumov, himself a refugee, could barely contain his excitement. He proudly showed off his two armed guards who would escort the ballot boxes to the regional counting centre; the three assistants - women, wrapped in huge coats against the freezing cold, filling out lists at a table; the register of 496 names, compiled by word of mouth. Voters left off the list lined up to register, clutching dog-eared old Soviet passports.

Like almost every Chechen, he was desperate to show visiting journalists and thus the outside world that the election was organised and wholly fair. A verdict on that will be delivered by the 72 international observers who came to Chechnya under the auspices of the Organisation for Security and Co-operation in Europe (OSCE).



Basayev casting his ballot. Russia calls him a terrorist.

Today was pure joy, as I was voting for my country's independence

But there were no complaints from the voters as they rushed to polling booths, erected amidst the ruins of their homes. Even interviews with a handful of Grozny's ethnic Russians, among the minority of Russians who stayed on in Chechnya after the war, produced no complaints.

Yesterday, to the annoyance of many in Moscow, Chechnya celebrated its day of liberation. How long the euphoria will last in a republic that needs Moscow's help to rebuild its shattered infrastructure is another question.

Yesterday the Chechens forgot the ruins around them, the lack of jobs and their wrecked economy. However, that sense of triumph will be impossible to sustain.

Robbery that followed the Holocaust

2,000 art works in French museums

John Lichfield
Paris

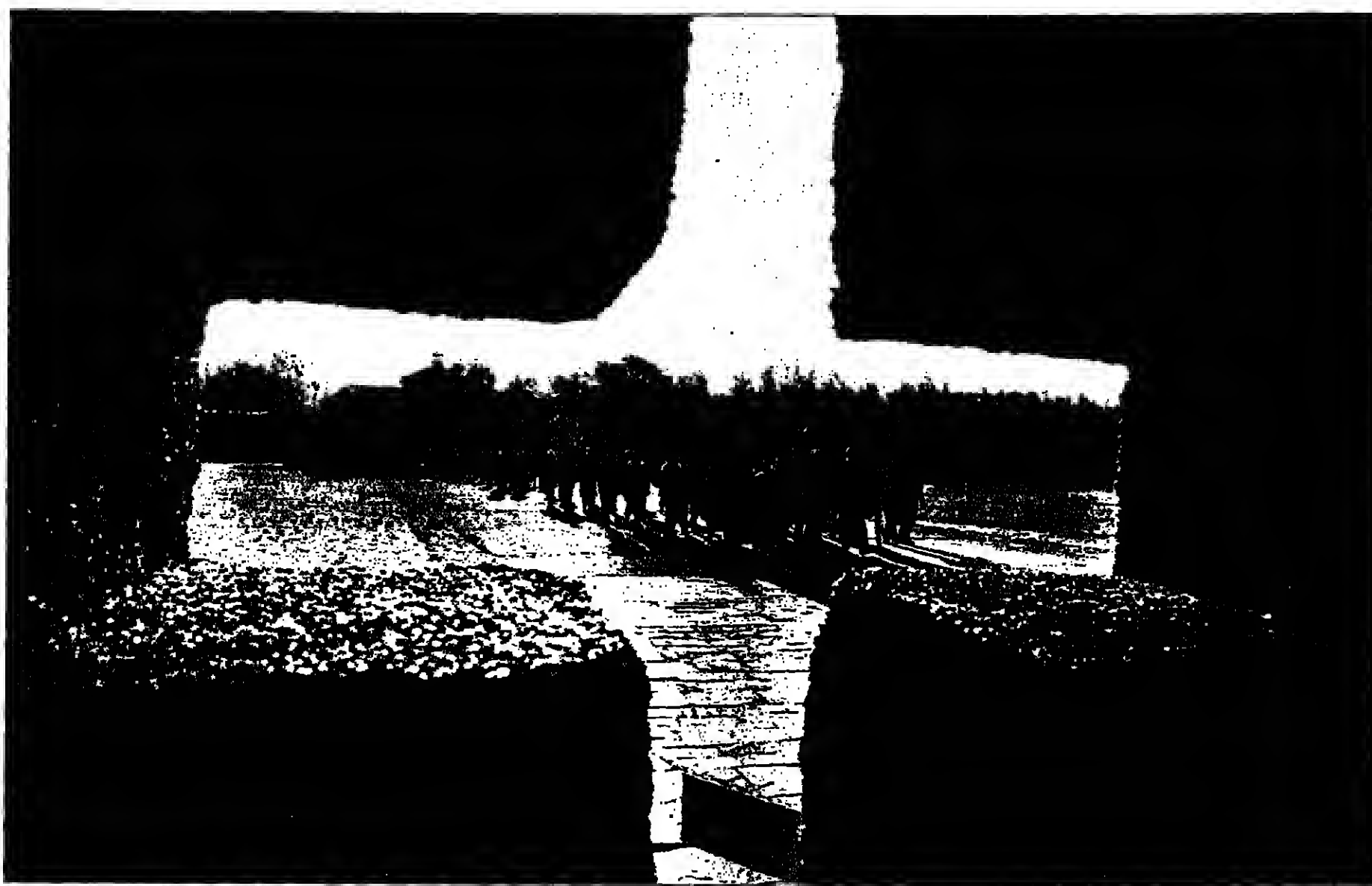
French national museums hold nearly 2,000 works of art stolen from Jews by the Nazis during the Second World War, it was revealed yesterday. On the eve of "Holocaust Day" ceremonies to commemorate the anniversary of the liberation of the Auschwitz concentration camp, the French government announced that it was setting up an inquiry into the origins of hundreds of artworks now in museums and believed to have been stolen from French Jews by the collaborationist Vichy regime.

The works, now exhibited or stored in the Louvre, the Musée d'Orsay, and other museums, include paintings by Monet, Renoir, Gauguin and sculptures by Rodin. The Prime Minister, Alain Juppé, announced at the weekend that he is setting up a committee of inquiry into the origins, and the legal status, of billions of francs worth of property pillaged from French Jews during the war. Much of this property, including real estate and businesses, as well as works of art, was never returned.

It was already known, or suspected, that some of the art ended up in museums owned by the French state or large cities. But the sheer size and quality of the collection, once owned by wealthy French-Jewish families, was exposed by an internal government inquiry, completed two years ago.

The results of the investigation, by the Cour des Comptes - the French audit office - was made public for the first time by the newspaper *Le Monde* yesterday.

The investigators are sharply critical of both the French state and individual museum curators, for making feeble attempts to identify the true owners, or their heirs, and for failing to state clearly the origins of the works. Only the Musée d'Orsay was prepared to admit that it possessed masterpieces such as Gauguin's and Monets which belonged to Jewish families, deported or stripped of their property, by the pro-Nazi Vichy



Sacred duty: German officials and former prisoners yesterday honouring victims killed by the Nazis in the concentration camp at Sachsenhausen Photograph: Reuters

government. Others failed to respond to the auditors' questions or claimed the works they possessed were of minor value.

Evidence has also emerged in recent months that several French cities, including Paris, still own large numbers of apartments and other real estate stolen by the Vichy regime as part of a systematic effort to obliterate Jewish influence and culture in France.

The new committee of investigation set up by Mr Juppé follows years of pressure by the French Jewish community. Speaking to the main umbrella body for Jewish organisations at the weekend, the Prime Minister said that such an investigation was "not just a moral gesture but a

national duty". For half a century after the end of the war, the part of the Vichy authorities in the identification and deportation of French Jews was an officially forbidden subject. To his

“This investigation is not just a moral gesture but a national duty”

great credit, President Chirac abruptly changed all that in July 1995 when he formally admitted the responsibility of the French state.

The Chirac-Juppé government has also vigorously pursued legal charges against Maurice Papon, a budget

minister under President Giscard d'Estaing in the 1970s, accused of organising the arrest of Jews while he was the Vichy police chief in Bordeaux. His trial is due to begin in May.

There were 300,000 Jews living in France in 1940. All were stripped of their property when Marshal Pétain seized power with Germany's help. Over 70,000 were deported to concentration camps in Germany and Eastern Europe, mostly never to re-

turn. After the war, 61,000 works of art pillaged from Jews and other Nazi victims were gathered at Compiègne and 45,000 were successfully reclaimed. Most of the rest were sold off but 1,955 of the better works of art were given to museums.

The Cour des Comptes accuses the French authorities of that time of failing adequately to publicise the existence of this treasure trove and failing to draw up a proper inventory.

Zurich (Reuters) - Switzerland's ambassador to the United States resigned yesterday after a document he wrote calling for "waging war" against Jewish groups and other vocal critics was leaked to the press, triggering uproar.

The *SonnstagsZeitung* weekly said the document came from a confidential strategy paper which ambassador Carlo Jagmetti sent to Bern last month dealing with the row over dormant accounts in Swiss banks of World War Two Holocaust victims.

"This is a war that Switzerland must wage and win on the foreign and domestic front," said the document. "You cannot trust most of the adversaries," it added.

SonnstagsZeitung said the "adversaries" to whom Jagmetti referred were Jewish groups and US senator Alfonse D'Amato, who have accused the Swiss of profiting cynically from the war and are seeking compensation for Holocaust victims.

Day of memory derided as hollow

Innr Karacs
Bonn

Germany remembered the victims of Nazism yesterday with a mixture of humility and, in the words of one opposition MP, "hollow pathos".

Marking "Holocaust Day" on the anniversary of the liberation of Auschwitz, the two houses of parliament held a joint session, the German flag flew on government buildings and schools had a special history lesson.

It was a solemn occasion, disturbed only by the clamour of East European Jews who have yet to be compensated. Groups representing the anti-Nazi resistance and the end during row over a gigantic tombstone that is supposed to be erected in memory of almost 6 million Jews.

"The Day of Commemoration is in danger of turning into a farce," declared Green MP Volker Beck. "Many victims are asking: 'which victims are being commemorated today?'" He replied: "Not the tens of thousands who deserted from the Wehrmacht". For five decades Mr Beck has tried in vain to decriminalise soldiers who had refused to follow orders. Deserters remain traitors under the laws, and are thus deprived of a war pension.

And Germany has paid only partial compensation to many East European Jews, and none at all to survivors in the Baltic republics.

That is not to say that the German state has suddenly become tight-fisted. A Holocaust memorial is to be erected in the centre of Berlin, engraving the names of known Jewish victims on a slab of granite the size of a football pitch. But many Jews feel that the government should pay more attention both to the victims, and to the preservation of the camps where they suffered, than in erecting artificial shrines.

Capture and freedom with a hidden Lebanese agenda

Robert Fisk looks for the motives behind some strange events



Saddam Hussein: Growing support for movement to overthrow him

Beirut — Why was Darrar el-Karmeh, financial director of the new Beirut Marriott hotel, kidnapped by three armed men on 3 January? Why was he released unharmed at the weekend? And why — a question of rather more pressing importance to Arab embassies in the region — have three Iraqi diplomats held in Beirut for the murder of an Iraqi opposition leader in 1994, suddenly also been given their freedom? The Lebanese press, with that discretion that always suggests a sister country may have been involved, has been hinting broadly that Syria is sending some blunt messages to its international rivals.

But first to Mr Karmeh, a Palestinian with a Jordanian passport whose wife and three children live with him in Beirut. Not long after his abduction, the Lebanese authorities — embarrassed at being unable to hunt down his kidnappers or to explain the background to his disappearance — told Lebanese journalists, off the record, that three Syrian intelligence agents had "lifted" the man from the Marriott on suspicion of involvement in the killing of a Syrian civilian in a bus north of Beirut last December and the later bombing of a bus in Damascus which left 13 civilians dead. There were rumours that — under the terms of the 1991 Friendship and Cooperation treaty — Mr Karmeh had been taken to Syrian intelligence headquarters at Anjar or even to Damascus. The Jordanian

embassy complained to the Lebanese foreign ministry, demanding news of the missing man.

But while the ministry was trying to explain the mystery, it was also instructing the security authorities in the city to release the three Iraqi diplomats. All three — Mohamed Kamel, Ali Darwish and Hadi Najm — were stripped of their diplomatic immunity in 1994 and accused of the assassination of Sheikh Taleh Sobel, a prominent member of the anti-Saddam Hussein "Council of Free Iraq".

Then last weekend, all three Iraqis were freed from custody and allowed to return to Iraq through Damascus — even though Syria remains Iraq's harshest opponent in

the Arab world. Yet again, the Jordanians, who have given their encouragement to the murdered sheikh's Council of Free Iraq — bitterly complained to the Lebanese, this time not via the foreign ministry in Amman but directly from the Hashemite royal court.

So what on earth has been going on in Lebanon these last few weeks? Did Lebanon suddenly decide to rid itself of three troublesome diplomats because, out of the blue, it decided to restore relations with Iraq? Did Mr Karmeh suffer amnesia on his way to work three weeks ago, only to recover his memory at the weekend, unable — and he has refused to talk to journalists — to recall anything that happened to him since 3 January?

Or could it be that Syria, which has said nothing about either affair, is allowing silence to speak louder than words? The Jordanians have been accusing Syria of "terrorism" of late, and at least one United States think-tank has suggested that Jordan might be used as a springboard to destabilise Syria if it will not come to heel and sign a peace with Israel without the return of the Israeli-occupied Golan Heights.

Jordan makes no secret of its support for Iraqis who wish to overthrow President Saddam Hussein, even for the installation of a Jordanian royal on a restored Iraqi throne. With Israel and its new allies — Jordan and Turkey — standing along three of Syria's frontiers, Damascus may be in the mood to remind the world that the relationship with the rival Baabist regime in Baghdad could yet be restored. How better to do this than by inviting three of Saddam's benchmen to go home via Damascus — and by reminding Jordan that it may be held responsible for attacks on Syrian citizens in both Beirut and Damascus?

Heat taken out of language curry

Ian McGirk
New Delhi

A British Council lecturer is trying to single-handedly to overhaul the ornate and bureaucratic language which has bedevilled the subcontinent since the days of the East India Company.

In his language workshops held in Indian business centres, Martin Cutts gives "anti-obfuscation advice." He insists that Indians must shed the colonial phrases left over from the British Raj, forget the Empress's English and re-learn plain speaking.

Mr Cutts, 42, is back by popular demand on his fourth tour of India. "The British civil service left a legacy to India. Unfortunately, impenetrable language is part of it," he said.

Over the next three weeks his seminars in New Delhi, Allahabad and Madras will attempt to redress the language problem. One personal goal is to banish the standard 191-word sentence which appears at the start of every Indian life insurance form.

His Plain Language Commission, first launched in Britain in 1989, helped cut the gobbledygook from Inland Rev-

enue forms and from turgid insurance documents. His challenge is to decipher the distinctive masala mix used by India's 90 million English speakers — a rather stilted Edwardian English spiced with the grammar structure of 15 principal Indian languages and some 3,000 dialects — without sacrificing its special flavour.

While the hoardings and headlines in India's big cities carry a sparky blend of Hindi and MTV slang, businessmen still tend to use archaic language which hinders communication with the uninitiated. An executive might instruct his travel

agent to "kindly do the needful and prepone the departure to facilitate my journey out of station and avoid a night halt", when he merely wants the time of his trip moved forward.

Long, servile phrases also annoy Mr Cutts. He objects to letter writers who insist on "begging the favour of your esteemed perusal," when they could just type "see below".

Not everyone was convinced though. One bureaucrat protested: "But I have spent an entire lifetime learning these long and unusual words and now you tell me to get rid of them."

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obituaries / gazette

Professor Roger Tayler

Roger Tayler was a distinguished and versatile astrophysicist, contributing to our understanding of the structure and evolution of stars, galaxies and the universe as a whole. As an officer of the Royal Astronomical Society and editor of its journal, he gave outstanding service to the astronomical community nationally and internationally. Many of his students now hold senior positions around the world.

Tayler was born and bred in Birmingham, went up to Clare College, Cambridge, as a scholar, graduating in 1950 and winning a share in the Mayhew Prize, for performance in Part III of the Mathematics Tripos. He worked for his PhD in the theoretical astrophysics with (Sir) Hermann Bondi as his supervisor. By then, after the work of Sir Arthur Eddington and others, the structure of chemically homogeneous stars was thought to be reasonably well understood, and descriptive of "main sequence" stars of different mass, such as the Sun and the bright white stars like Sirius and blue stars like Vega.

Attention began to be focused on stellar evolution, in the hope of explaining the origin of "red giants" such as the enormously extended star Betelgeuse. Such a programme of work requires the use of the powerful electronic computers which we now take for granted. Tayler said he was about the last person to tackle the equations of stellar structure with the aid of a mechanical desk calculator.

After a postdoctoral year at the California Institute of Technology and Princeton, Tayler returned to England to work as Scientific Officer in the Atomic Energy Research Establishment at Harwell in 1955. There he wrote - parallel to but independently of Marshall Rosenbluth in the United States and V. Shafarovich in the Soviet Union - fundamental mathematical papers on the problem of the "stabilised pinch", in which a perfectly conducting cylindrical current has its gross instabilities removed by an axial magnetic field within conducting walls.

The hope was that the hot plasma in the current would be magnetically confined long enough for energy generation by the same hydrogen-to-helium fusion process to occur on Earth as in the Sun and stars. In the slow progress over the decades towards this long-term aim, Tayler's work on this and on cognate problems remains highly relevant: one hears reports of its being rediscovered by young workers unfamiliar with the literature.

In 1961, Tayler returned to Cambridge to work with (Sir) Fred Hoyle on nuclear astrophysics. Following Hoyle's pio-

neering paper of 1946, there appeared in 1957 the masterly paper by "BFFH" (i.e. Hoyle, the late Willy Fowler and Geoffrey and Margaret Burbidge) on the build-up of carbon, oxygen and the heavier elements in the hot dense cores of highly evolved stars, to be distributed subsequently into the interstellar medium, e.g. during explosion of the star as a supernova. Tayler's contribution to this problem was a careful calculation of the relative abundances of the elements near the "iron peak".

The importance of heavy element build-up as part of normal stellar evolution is manifest from studies on "primordial" nucleosynthesis, which show that only helium and other light elements can form from hydrogen during the hot dense early phases of the standard "Big Bang" cosmology.

Belief in the Big Bang was revived by the discovery of microwave background radiation, announced in 1965. Shortly before this, Hoyle and Tayler had published a landmark paper, pointing out the importance for cosmology of observations of the helium abundance in different objects. Both earlier calculations and their own in fact yielded a theoretical abundance somewhat higher than that inferred from observation. However, Tayler in particular stressed that the computations were sensitive both to the number of neutrino types and to the lifetime attributed to the neutron.

His words were prophetic: over the years, new measurements have steadily reduced the neutron lifetime to a value that appears to remove the discrepancy, and the realisation that the helium abundance could tell us the number of neutrino types has become a major link between particle physics and cosmology.

In 1967, Tayler left Cambridge to join (Sir) William McCrea in the build-up of the Astronomy Centre at Sussex, in collaboration with colleagues at the Royal Greenwich Observatory, then located in Herstmonceux Castle. Not surprisingly, he proved a very able administrator, but despite the heavy calls

on his time - including a five-year stint as dean and the on-going supervision of many MSc and DPhil students - he maintained his research momentum, working in particular on stellar magnetism and on the chemical evolution of galaxies.

Tayler was a superb teacher, admirably clear without being prolix. This is apparent from the reading of his papers and review articles, and in his monographs which have a world-wide readership both among students and faculty. *The Stars: their structure and evolution* (1970); *The Origin of the Chemical Elements* (1972); *Galaxies: structure and evolution* (1978); and most recently *The Hidden Universe* (1991) and *The Sun as a Star* (1996), the last two being written in the period of remission during his last illness.

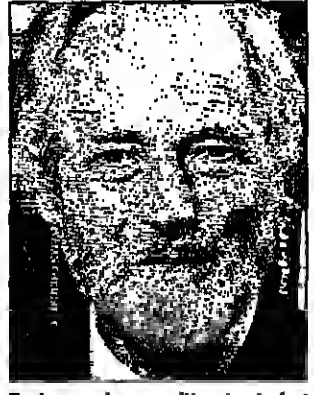
He was also very generous with his time, especially to students. And on top of all his research activity, his service to Sussex University, his membership of Science and Engineering Research Council Committees, and his work for his local church and the parochial church council, he shouldered an immense burden on behalf of the astronomical community.

Over 20 years he served first as Secretary, then as Treasurer and finally as President of the Royal Astronomical Society (RAS). For about the same period he was managing editor of the society's *Monthly Notices*. Recognition of his services to astronomy came with his appointment as OBE in 1990, and recognition of his research with election to the Royal Society in 1995.

In 1989 Tayler was diagnosed as suffering from myeloma, forcing him to retire a year early from the presidency of the RAS. The technical expertise and dedication of the staff at the Royal Marsden Hospital, and the devoted support of his wife Moya, gave him a six-and-a-half-year period of remission. With characteristic quiet courage and dignity he carried on teaching and research, even giving a lecture course after his official retirement.

Leon Mestel

Roger John Tayler, applied mathematician and astrophysicist; born Birmingham 25 October 1929; Scientific Officer/Senior Scientific Officer, AERE, Harwell 1955-61; Fellow, Corpus Christi College, Cambridge 1961-67; University Lecturer in Mathematics, Cambridge 1963-67; Professor of Astronomy, Sussex University 1967-94 (Emeritus); Gresham Professor of Astronomy 1969-75; Secretary, Royal Astronomical Society 1971-79; Treasurer 1979-87; President 1989-90; OBE 1990; FRS 1995; married 1955 Moya Fry; died London 23 January 1997.



Tayler: clear without being prolix. Photograph: Royal Society

D. F. Swift

D. F. Swift was one of a small group of British sociologists whose empirical and theoretical work illuminated the social and educational problems of a class-stratified society. This was reflected in the *Newson* report, *Half Our Future*, on secondary education (1963), the *Plowden* report *Children and their Primary Schools* (1967) and in various government policy initiatives aimed at alleviating disadvantage.

Don Swift was born in a village near Liverpool, the son and grandson of a blacksmith, was educated at St Mary's College, Crosby, and spent National Service in the RAF Police, for a time in Berlin. He trained as a

teacher at the Cheshire County Training College, Alsager, where he met his future wife, Enid. After a period in secondary schools, he returned to higher education and at Hull University read Sociology. Following PhD work at Liverpool, he took up a teaching position in Canada, at the University of Calgary, and later returned to Liverpool, to a post in adult education.

His doctoral research, a study of family background factors on the educational performance of schoolboys in Liverpool, was influential in the burgeoning field of sociology of education in Britain in the 1960s. With sociologists at Liverpool University and a nearby college of

education, Edge Hill, in 1965 he initiated the international journal *Sociology of Education Abstracts*, now in its 32nd year. In 1966, he was appointed to Oxford University's Department of Educational Studies, where his advanced course in the sociology of education attracted present and future lecturers in the field.

But it was at the Open University, where he became a Foundation Professor of Educational Studies in 1970, that his concern for educational opportunity found more practical expression. He convened the sociology of education group which contributed to the first large-scale BA degree for non-graduate teachers, offered by

means of a purpose-designed, structured "distance education" programme. The group utilised an unconventional range of perspectives, and its innovative textbooks were used worldwide on both distance education and conventional courses in higher education. As a Pro-Vice-Chancellor of the Open University from 1976 to 1981, he contributed to the establishment of what was then a unique institution in its early years and attracting international interest.

During the 1980s he became acquainted with the Asian-Pacific region, for several years directing distance education programmes in Hong Kong for the University of East Asia.

Macau, and lobbying for the establishment of such provision in Hong Kong itself. In 1988, the Open Learning Institute of Hong Kong was established, with Swift as its first director, and he continued as a persistent advocate for this new avenue of opportunity in a territory which, until then, had very restricted access to degree-level study. The Open Learning Institute (shortly to become the Open University of Hong Kong) now has over 20,000 students.

In 1992 he undertook what was to prove his final assignment, as a consultant to the South African Institute for Distance Education. The huge educational problems of the new

South Africa offered a fresh challenge upon which, by temperament, belief and experience, Swift was ideally suited to comment and advise.

Don Swift was a comparatively private and unassuming man. His "religion" was cricket, in which he was an active team player each season, and his general physical fitness makes his sudden and premature death the more unexpected.

Maurice Craft

Donald Francis Swift, educationist; born Hice Blundell, Lancashire 27 September 1932; Professor of Educational Studies, Open University 1970-86; Pro-Vice-Chancellor 1976-81.

Hearsay evidence was admissible in immigration case

Re Rahman: Court of Appeal (Lord Justice Staughton, Lord Justice Hobhouse, Lord Justice Hutton) 11 December 1996

In determining the validity of a person's detention as an illegal entrant, the High Court was entitled to take into account all the evidence relied on by the Home Secretary, including such as might otherwise be inadmissible at common law.

The Court of Appeal dismissed an appeal by Saudur Rahman against the refusal of Mr Justice Collins, on 26 June 1996, to grant him a writ of habeas corpus. The court unanimously dismissed the appeal on the point of law as to whether certain evidence relied upon by the Home Secretary was admissible. The court by a majority (Lord Justice Hutton dissenting) also dismissed the appeal on the point of fact, that there was sufficient evidence to conclude that the entrant was an illegal immigrant.

The appellant claimed to have been born in Bangladesh, the son of Abdus Somad, on 29 July 1967. Abdus Somad had British citizenship and was living in the UK in 1989 when the entrant, expressing a wish to join him, was granted a certificate of entitlement to the right of abode in the UK. In November 1990 he obtained a British passport.

In 1991 the appellant's wife, Rina Akhter, whom he married in 1988, applied for a certificate of entitlement for herself and their two sons to join him in the UK. Before that application was granted, the Home Secretary received denunciatory letters claiming that one of the two boys was actually their nephew and that the appellant himself was not whom he claimed to be but a man named Mohammed Surah Ali Talukder.

The Home Secretary acting through entrance clearance officers in Bangladesh instituted inquiries about the appellant in

two villages. It was common ground that the interview evidence thus obtained, if presented in admissible form and uncontradicted, would justify the conclusion that deception had been established to the requisite high standard. But without some of this evidence there was insufficient evidence to support that conclusion.

The appellant argued that the evidence of the village visits, in particular the interviews tendered by way of affidavits from immigration officers, was inadmissible in legal proceedings in this country because it was hearsay, and that the judge should not have taken it into account in determining the validity of the appellant's detention as an illegal entrant.

The question of law was thus whether a court, when inquiring into the truth of facts on which an administrative decision had been based, was entitled to

look at all the material on which the decision-maker legitimately relied, or only such evidence as was presented in strictly admissible form.

Michael Shrimpton (Solicitor General for the Home Secretary) for the appellant; Mark Shaw (Treasury Solicitor) for the Home Secretary.

Lord Justice Hobhouse said it was common ground the governing authority was *R v Khawaja* [1984] AC 74, and that where the secretary of state sought to declare a person an illegal entrant, he must prove he was in fact an illegal entrant.

The tenor of their Lordships' speeches in *Khawaja* was an acceptance of evidence which did not necessarily meet the criteria of admissibility for a court conducting a trial. It was implicit that the court could take into account all relevant material, making appropriate allowance for the weight to be

attached to it, which of course did not exclude the view that certain evidence should be disregarded if it was not worthy of any weight. The same conclusion was implicit in the judgments in *Ex parte Miah* [1989] IAR 559, and *Ex parte Muse* [1992] IAR 282.

The original determination (taking into account all material evidence) was either valid or invalid: the entrant either was or was not an illegal entrant. If the entrant challenged the validity of the decision in the courts, the exclusion of otherwise inadmissible evidence might result in a valid decision being held invalid. That could not be correct.

The role of the court in these cases was to consider all the available material and to decide for itself whether it had been satisfied by the secretary of state that the applicant was an illegal entrant. The appeal on the point of law therefore failed.

Paul Magrath, Barrister

Iris Bentley

When 16-year-old Christopher Craig shot dead PC Sidney Miles in 1952, Iris Bentley's destiny was sealed. The shooting was the culmination of a failed burglary at a Croydon warehouse, and the following year her 19-year old brother Derek, an epileptic with a mental age of 11, was hanged for his part in the killing. Iris Bentley began a campaign for a posthumous pardon, a campaign whose momentum continues after her death.

At 16 Craig was too young to be executed. Imprisoned as a minor until 1963, he has since led an uneventful life as a plumber. The evidence against Bentley hinged upon the allegation by police officers that immediately before Craig shot Miles, he had implored his young accomplice to "Let him have it, Chris". The defence claimed that Bentley had been trying to persuade Craig to hand over his weapon, and Bentley's testimony and subsequent evidence from both one of the arresting officers and from Craig himself suggest that the words were never spoken. Despite the jury's recommendation for mercy, Lord Chief Justice Goddard sentenced Bentley to death. Iris Bentley unsuccessfully presented petitions to the Home Secretary, Sir David Maxwell Fyfe, for a reprieve, and her brother was hanged in Wandsworth prison in January 1953. Her career as a campaigner had begun.

The symbolism of the clock in her home, stopped permanently to show the time of her brother's death, cannot be understated. Iris and Derek Bentley were close - they had both been buried in the rubble of their south London home during the Blitz that killed their 12-year-old sister. Derek's death marked the blossoming of a resolute and skilled campaigner, who was always ready to present anti-death penalty arguments during the routine clamour for state vengeance that regularly blights British politics.

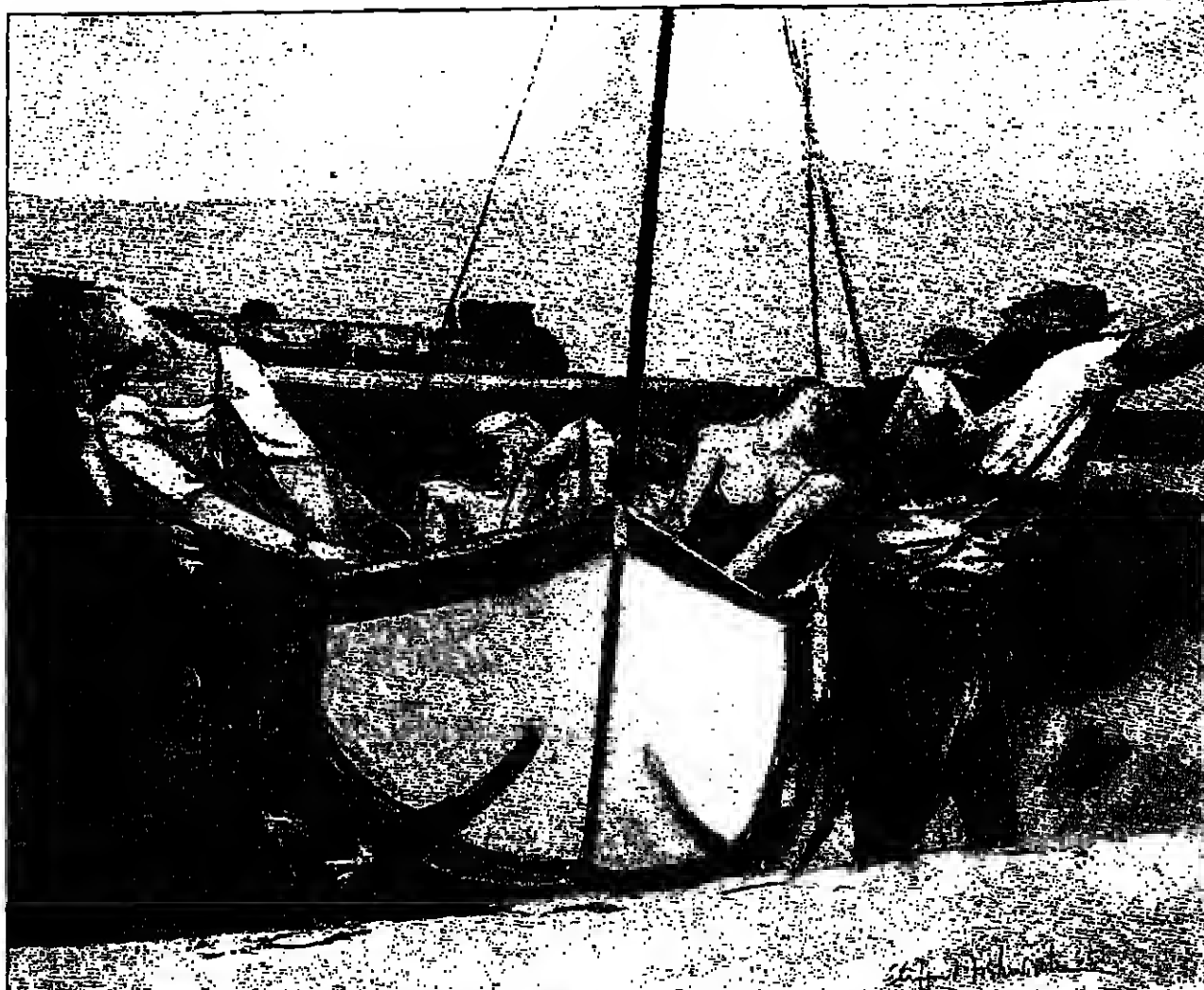
Yet for many years her efforts on behalf of her brother were ignored, before Derek Bentley's story seeped into the public consciousness via three books and a film, *Let Him Have It* (1991). Aided by her daughter Maria, and despite failing health, she forced the police to reopen the case in 1992, resulting in the Home Secretary Kenneth Clarke's denying a reprieve. A year later, the Appeal Court ruled that Clarke had not fully considered all the options open to him, and his successor Michael Howard granted a partial pardon that upheld the conviction, while acknowledging that the execution had been wrong.

This was hardly enough to placate Iris Bentley's quest for justice, and she continued the fight. In April 1997 Derek Bentley's case will be reconsidered by the Criminal Cases Review Commission, and as the result of new evidence presented to the Home Office last September, it is possible that a full pardon could be announced before the commission hears the case.

Iris Bentley's very presence, amidst an increasingly punitive law-and-order debate that has raged across five decades, has served as a reminder both of the state's potential for barbarism, and the criminal justice system's inherent fallibility. Indeed, if amongst the frantic clamour for punishment that in contemporary society passes for a law-and-order debate, some moments of reflection are spent considering the last 44 years of Iris Bentley's life, a much wider definition of "victim of crime" becomes apparent.

Dick Hobbs

Iris Bentley, campaigner; born London 3 August 1931; died London 23 January 1997.



'Local exhibitionist': Fishwick's *Hauling a Boat*, oil on board, 1955

Photograph: Austin / Desmond

Clifford Fishwick

Clifford Fishwick was one of the group of talented West Country artists who extended the great tradition of English landscape painting into modern terms. He was a friend of the St Ives painters - Peter Lanyon, Paul Feller, Trevor Bell - and he exhibited regularly with the Newlyn and Penwith Societies, but like most of that group he had come to the West Country from elsewhere.

He was brought up in Ellesmere Port and never altogether lost his northern accent and sly, self-deprecating sense of humour. His first one-man show in London gave him less pleasure than the banner headline under which it was reviewed in the *Ellesmere Port* paper: "Local Exhibitionist".

Fishwick was a painter of great technical skill and discipline which he acquired the hard way at the Liverpool School of Art. In 1942, after two years of the rigorous academic training which was then required for Certificates in Painting and Drawing, he joined the Navy and spent the next four years sailing on convoys back and forth across the Atlantic.

He returned to art school, in 1946, to complete his training and take an Art Teachers Diploma. The following year, he moved to Devon and began teaching at the Exeter College of Art where he stayed until he retired in 1984. He became Principal of the College in 1958 and steered it successfully through its student troubles in

1968 and an equally difficult period of major expansion.

All the while, despite his teaching load and heavy administrative duties, he was painting steadily and prolifically. Cézanne and Turner were his heroes. From Cézanne he derived his feeling for structure, his ability to reduce a scene to its barest elements, particularly in the series of beach scenes he painted in the 1950s in which spiky figures tend boats in interlocking, tilted planes of muted colour, representing sand and sea and sky. Later in his life, he painted big semi-abstract landscapes, all clouds and flickering light, which owe a lot to Turner. But like Turner, he never lost the sense of place, of the specific scene behind the swirling, beautifully handled paint.

For me, however, Fishwick's greatest talent was his mastery of that peculiarly English medium, watercolour. Like Cézanne, he knew how to capture a scene and an atmosphere in a few delicate strokes and a wash of pale colour. He produced, literally, thousands of watercolours, many of them works of great subtlety, but all done quickly, casually, like jottings in a notebook. He himself took this talent for granted and did not set much store by it.

His subjects were mostly mountains and moorland, the coast and the sea, but his feeling for them was not just painterly. He loved sailing and spent a great deal of time pot-

tering along the south coast of Devon in his yacht *Frye*, but he loved the mountains even more. I first met Cliff Fishwick, in 1956, at Bosigran, the Climbers' Club hut on the north Cornish coast west of St Ives.

At that time, Peter Biven and his brother Barrie were putting up a series of bold and elegant routes on the granite Bosigran Cliff and Fishwick was one of their team. He never pretended to Peter Biven's extraordinary strength and rock technique, but he was the ideal man to have second on the rope - unflappable, cheerful and as solid as the rock itself. The sketches he drew of the routes for Biven's 1968 guidebook were not only wonderfully accurate, they were also little works of art in themselves, sensitive and atmospheric.

After Biven's tragic death in a climbing accident in 1977, Fishwick's interest in rock climbing faded, but not his love of the mountains and wild landscapes. Right up until his death, he was out every weekend, tramping for hours across Dartmoor, and he spent his summers in the Highlands, climbing the Monroes. He and his son Mark used to sail from Cornwall up to the west coast of Scotland in Mark's historic yacht *Tempestress*, then Cliff would be rowed ashore, usually on his own, to knock off the peaks he had chosen for that season. He had already picked out the seven he planned to climb next summer to celebrate his 74th birthday

when he suffered the stroke that killed him.

He was the least commercial of artists and he had a deep mistrust of galleries. It began with his first one-man show in London: all the canvases were sold, but the gallery went bust and he never got his money. His last London show was likewise a success and a disaster: the pictures sold but the gallery-owner committed suicide soon after. Fishwick, in his modest and laconic way, decided he was a jinx and made little effort to exhibit his work. He preferred to keep his paintings to himself, as though to check up on his progress, and when he sold them he sold mostly to friends, so that he always knew where he could find them.

Cliff Fishwick was one of the few people I know who lived a good life in the way he most wanted. He and his wife Patricia, also a painter, and their four children were devoted to each other, and he managed to combine work and leisure to an extraordinary degree. He loved the hills and the sea just as much as he loved painting and he used his talent to bring these three passions together. That in itself is a great and rare achievement.

A. Alvarez

Clifford Fishwick, painter; born Accrington, Lancashire 21 June 1923; Principal, Exeter College of Art and Design 1958-84; married 1949 Patricia Fishwick (two sons, two daughters); died Exeter 22 January 1997.



Swift: educational opportunity

Births, Marriages & Deaths

BIRTHS

UKS: On Tuesday 10 December 1996, to Fiona (née Dickinson) and Gary, a beautiful daughter, Sophie Grace Kerr.

ATSON: Mark and Janet Watson announce the birth of Alexander Lawrence Stuart, 1 December 1996, brother to Fiona and Harriet.

DEATHS

GLIS: Grace Elizabeth, died on 16 January 1997, aged 84. Adored wife of Leslie, daughter of postal reformer Edwin Wells, who pioneered proposals for urgent and non-urgent (first and second class) mail in 1930. Funeral service at St Michael and All Angels Church, Blackheath, at 11am on Friday 7 February, followed by cremation at Eltham Crematorium. Enquiries to Funeral Directors Francis Chappell and Sons, 72 High Street, Eltham SE9 1ET.

GAZETTE, telephone 0171-283 2011.

Birthdays

Mr Alan Alda, actor, 61; Mr Bobby Ball, comedian, 55; Mr Mikhail Baryshnikov, dancer, 49; Mr Adler BIK, jazz clarinetist, 67; Mr James Callaghan MP, 70; Miss Enid Castle, former Principal, Cheltenham Ladies' College, 61; Sir Oliver Chesterton, chartered surveyor, 84; Mr James Cran MP, 53; Mr John Edmonds, general secretary, GMB, 53; Mr Michael Falcon, former chairman, Norwich Union Insurance, 69; Mr Glyn Ford, MBE, 47; Sir Anthony Gurner, parliamentary and public affairs consultant, 70; Miss Frances Gunley, television and radio producer and broadcaster, 42; Mr John Hughes, former Principal of Ruskin College, Oxford, 70; Mr Bill Jordan, general secretary, International Confederation of Free Trade Unions, 61; Sir Timothy Kinson, chairman, Provident Financial plc, and former MP, 66; Professor David Lodge, author and Honorary Professor of Literature, Birmingham University, 62; The Rev David Morris, MBE, 67; Mr Clive Oldenburg, pop artist, 68; Mr Gordon Prentice MP, 46; Mr Nick Raynsford MP, 52; Maj-Gen Martin Sinnott, former senior executive and secretary, Kennel Club, 69; Sir Trevor Skeet MP, 79; Mr Ian Sloane, ambassador to Mongolia, 59; Professor John Taverner, composer, 53; Mr David Thompson, former chairman, Bank Xerox UK, 65; Sir Michael Wicks, former diplomat, 72; The Rev Barrington White, former Prin-

pal, Regent's Park College, Oxford, 63; The Right Rev James Whyte, former Moderator of the General Assembly of the Church of Scotland, 77; Lord Windlesham, Principal, Brasenose College, Oxford, 65; Robert Wyatt, rock musician, 52.

Anniversaries

Births: Charles George Gordon, general and hero of Khartoum, 1833; Sir Henry Mordaunt Stanley, journalist and explorer, 1841; Colette (Gabrielle Sidonie Colette), author, 1873; Aram Rubinstein, pianist, 1889; Paul Jackson Pollock, abstract artist, 1912; Deaths: Charlemagne, Frankish emperor, 814; Sir Francis Drake, sailor, at sea, 1596; Sir Thomas Bodley, founder of the Bodleian Library, 1613; William Butler Yeats, poet and playwright, 1939; Reynold Hahn, composer, 1947; Herbert Ernest Bates, novelist, 1974. On this day: The Diet of Worms began, 1521; the US space shuttle *Challenger* exploded moments after take-off, killing six astronauts and a woman teacher, 1986; the *Independent* on Sunday was the first published, 1990. Today is the Feast Day of St Amadeus of Lausanne, St Paulinus of Aquileia, St Peter Nolasco, St Peter Thomas and St Thomas Aquinas.

ROYAL ENGAGEMENTS

The Princess Royal to Hong Kong. Changing of the Guard. The Household Cavalry Mounted Regiment leads the Queen's Life Guard at Horse Guards, 11am.

2002, and Major prepares for a sixth Tory term...



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The spring of '02 has been slow coming. Snow still covers much of Kent, the eastern counties and Scotland. But it is only really in the last of these that the looming general election excites much interest. Scotland, in the grip of some of the worst weather for a generation, is clearly on the edge of electing its first Nationalist majority; the SNP leader, his "provisional cabinet" swollen by former Labour politicians, has already drafted his Declaration of Independence. The King is greatly worried, and has caused a flurry by making what many consider an overtly political speech on the subject – but most of his subjects are English and unconcerned. The "Scottish question" has been endlessly debated and now bores most readers and viewers.

For the Conservatives in England, the election is a foregone conclusion. John Major's victory five years earlier destroyed Labour, and sent it into splinters, now standing as Socialist Labour, the New Democrats and Young Britain. But the leaders of the post-Labour parties – Livingstone, Cooper and Mandelson – have been unable to reach an election pact and will be lucky to scrape 150 seats between them. Despite the gloomy warnings of 1997, victory has kept the Tory tribe together and scattered its enemies.

The golden economic prospects held out by Mr Major at the last election

never quite materialised – golden prospects rarely do – and the Irish problem is unresolved. But terrorism is no more of a problem than through the previous decade – unpleasant but containable. The Tories seem to have demonstrated that they can govern in perpetuity without alienating their core supporters. Admittedly, inflation and interest rates are both rising. But Mr Major says that this is a natural cause of the economic cycle – just like the lower inflation and interest rates of five years before.

European union, the great divisive issue of the previous decade, seems to have been resolved by the 1999 Antwerp Congress. Politically, Britain is now "out", though remaining as a member of the Continent's Economic Pact, a loose trading association, France, Germany and Italy are at the core of a new EU, which proclaims itself proudly and unashamedly to be "Europe – a nation in the making". Monetary Union is to begin in a year's time, following Germany's postponement, after a fierce Bundestag debate; but for Britain, that is well off the agenda.

Korean, Japanese and, increasingly, Russian and Chinese investors are deeply worried about what is known as "the English conundrum": whether the economic benefits of locating in a deregulated, low-interference economy are outweighed by the political threats of being outside the EU. Since

Britain left it, the Union has become distinctly more protectionist in tone, as higher unemployment and xenophobia from politicians persuades voters to blame Asia and America for their woes. French and German ministers have warned Samsung and Nissan about their "unfriendly" policies, and the new Toyota Gili one-door saloon is to be built outside Madrid. There have been some serious defence industry blows. But few factories have been moved, and for as long as the conundrum is unresolved, Prime Minister Major is unlikely to receive much of the blame.

Unemployment, which fell as low as 4 per cent, is now rising again; this, too, the Government explains as cyclical. Low wages and insecurity, as well as the increasingly harsh anti-slacker rhetoric of ministers and commentators, have produced a steadily more aggressive underclass. Violent crime has continued to rise. Prisons are being built at an accelerating rate. There have been riots for the past two summers in London and most of the larger cities. Because of this, the mood of the country is less liberal, less tolerant, than before. Lord Tebbit has formed a pro-hanging pressure group

which has attracted the support of five million signatories.

Middle-class voters are more concerned about the rising insurance costs of a private health system which has outstripped the NHS in many parts of the country. But schools, outside the control of local authorities, are generally less of a national talking point than they were in 1997. Paradoxically, given the anti-European Union stance of the Government, British schooling is rather more like the French system: more centralised, uniform and traditional in style than before.

Following the Prime Minister's personal agenda, much more is being spent on sport and on military training. This gives Britain a slow but encouraging rise in its world ranking in team sports, but has also produced a rather more practical and ruthless class of teenage burglar.

Local government has subsidised. With most services either centralised or privatised, voting and support for the town hall has fallen even below its low level in the Nineties. Central government now runs not only schools and colleges, but takes most transport, planning, urban regeneration and housing decisions of any significance.

To co-ordinate all this activity, the Environment Secretary, Neil Hamilton, announced the creation of powerful county and city bosses, reporting directly to ministers, in 2000. To begin

with, these were simply called local commissioners. After intervention from the Deputy Prime Minister, Michael Portillo, the Government took the bold step of reviving the political significance of the lord lieutenants; all counties and boroughs now have one.

As voters prepare for the election of 2002, therefore, they are better off than they were. The bleakest warnings of Labour's last leader have not been fulfilled. But people are uneasy about the future and unhappy about many aspects of contemporary Britain. Middle England is glad to be outside one union, the European one, and can tolerate the dissolution of the other union, the one with Scotland. The result, however, seems to be a country which, far from being more at ease with itself, is less resolved about its place in the world than it was five years earlier. This time, however, there seems little alternative...

Is this a realistic sketch of Britain under another five years of Mr Major? Party propagandists on both sides will say no – that it is too apocalyptic, or not nearly apocalyptic enough. To us, scanning the main themes of the Chequers summit and other recent policy speeches, it seems a plausible one, which highlights the dangers and the opportunities of five more Tory years. We shall see. Or, much likelier, we won't.

LETTERS TO THE EDITOR

Sanctions hit Iraqis but help Saddam

Sir: The Iraqi people face a situation that is close to starvation. Whoever is responsible, Saddam Hussein or the United Nations (letters, 20, 25 January), we cannot turn a blind eye to what is happening to millions of innocent people. We argue against the continuation of sanctions for the following reasons.

Sanctions, which are by definition imposed to create hardship, cannot be implemented in a manner which spares the vulnerable. It is against the spirit and letter of article 38 of the convention on the Rights of the Child (UN, 1989).

Sanctions have resulted in a crime explosion which the government is trying to control by decreeing new barbaric punishments.

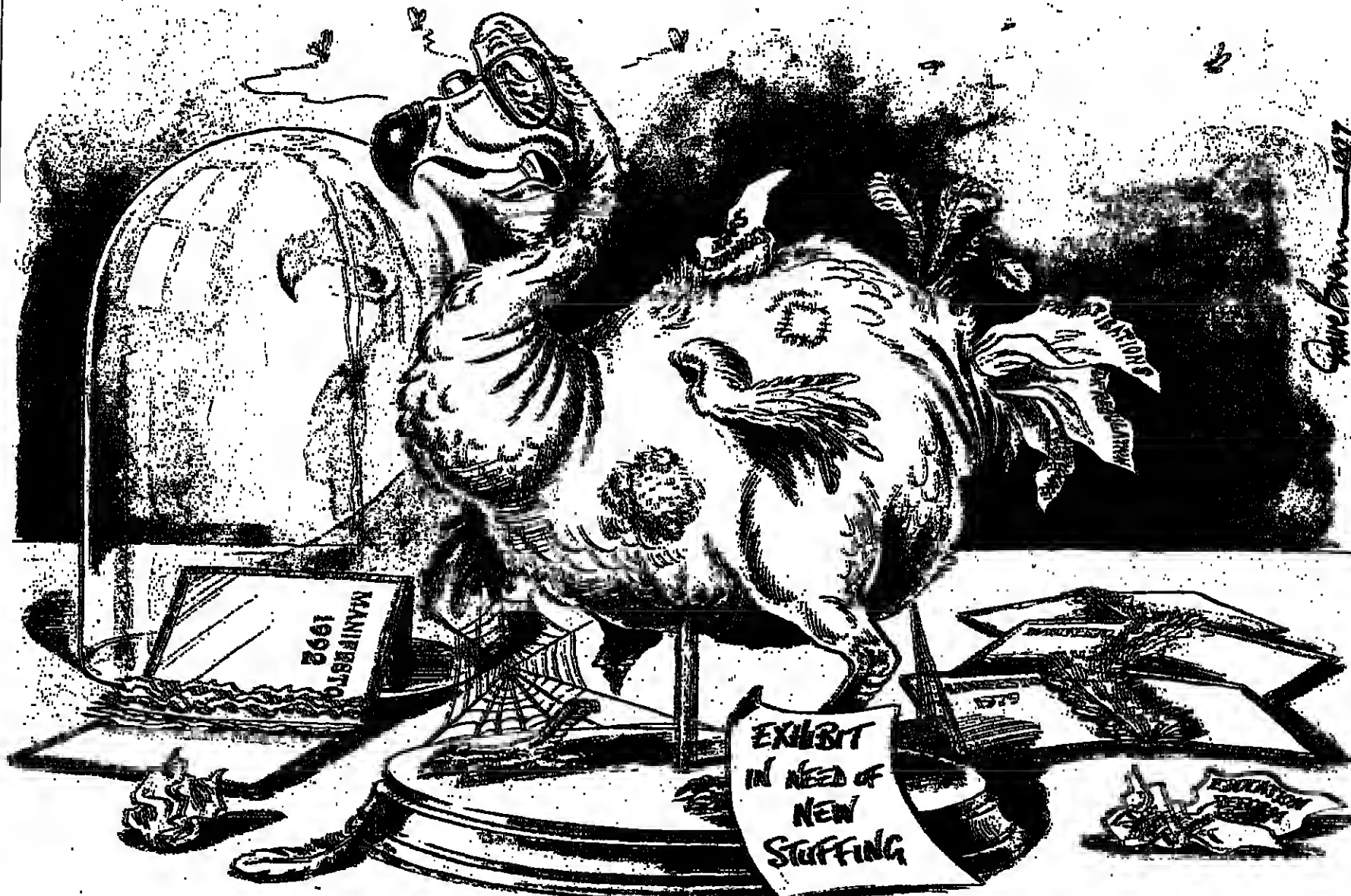
The sale of a limited amount of oil to pay for food and medicine imports under Security Council resolution 986 will result in only very limited benefits to the ordinary Iraqi. Although this amount would certainly help the needy, implementation of this resolution would result only in prolongation of sanctions, with most of the population still in poverty and most families receiving less than the minimum daily food requirements. At the moment the government food ration provides two-thirds of energy needs. The implementation of resolution 986 will not significantly improve this situation.

Sanctions have weakened Iraqis will for change and their ability to rise up to overthrow the dictatorship. The argument for lifting sanctions is overwhelming on both a simple humanitarian level and a political one. It is the Iraqi people, after all, who will decide Saddam's fate.

Evidence indicates that a democratic Iraq is not on the West's agenda; a weakened and unthreatening Iraq is. Dr MOHAMED AL-RUBEAI Iraq Victims of War Appeal London W6

Sir: Eric Berman (letter, 25 January) may be director of UN Watch, but he cannot have read the recent reports of the UN Food and Agriculture Organisation, the World Health Organisation and Unicef on the continuing effect of sanctions on the Iraqi population. To argue that the UN Security Council has acted "with humane understanding" is injudicious. The criteria for the lifting of sanctions have repeatedly changed, and this has resulted in their prolongation for six-and-a-half years. In this period, 750,000 people have perished through lack of medicines and malnutrition.

Mr Berman is mistaken in assuming that the partial lifting of sanctions currently under way will bring notable improvement. Only \$1.06bn of the food-for-oil revenue over a six-month period can go on food and medical supplies. For the 18 million Iraqis under government rule, this amounts to \$9 per person per month. Before the Gulf crisis, Iraq imported two-thirds of its food; a recent UN report found Iraq would need \$2.2bn every six months just to feed its population. Even more serious is the fact that only \$1.7m may go on essential infrastructure, such as chemicals for sewage treatment or parts for water pumping equipment. Most of the child deaths since August 1990 have been due to the inadequate sanitation system left after Allied bombings during the Gulf war. Mr



Berman blames the continuation of sanctions on the refusal of the Iraqi leadership to destroy all the weapons the Security Council demands. However, international law is not made at the behest of the Security Council, and the states of the world did not sign up to a global tyranny. The powers of the Security Council were conferred upon it by the Charter of the UN, which recognises in Article 51 the "inherent" right of states to possess weapons. GLEN RANGWALA Durham

Why London may regret Labour

Sir: The combination of Gordon Brown's recent statements and Glenda Jackson's articles has proved devastating for Londoners. Gordon Brown has announced that there is no more money for London Transport and Glenda Jackson has made it clear that there will be a moratorium on roads and an end to support for new or extended railways. So under a Labour government you would have the double whammy of no money and no lines – an end to hopes for Crossrail and the Chelsea/Hackney line, for East London Line extensions and Thameslink 2000 development; question marks over Croydon Tramlink and the Docklands Light Railway extension to Lewisham; no new river crossings, such as at Woolwich and Gallions Reach; and a full stop to works on the A40 and A13. By contrast this government is offering Londoners real improvements in existing services, with £1.5bn core investment expected on the London

Underground over the next three years and new projects such as the Jubilee Line extension, DLR south of the river and tram links for Croydon, Wimbledon and Beckenham.

Glenda Jackson, in her article "Don't sell out the Tube" (18 January), says she wants to see a partnership with the private sector. So why has Labour opposed every such partnership we have introduced over the past 17 years? The next proof of our successful partnership will be the coming on stream of 106 privately financed Northern Line trains and the start of services on the Heathrow Express from Paddington. JOHN BOWIS Minister for Transport in London Department of Transport London SW1

A clergyman confesses all

Sir: I confess. I was one of those 200 clergy telephoned by *The Sunday Times* for the random poll whose results you report ("Clergy forget Commandments," 27 January). I gave yes/no answers to deep and complex questions about my beliefs, ranging from premarital sex and adultery, through the Virgin Birth and Resurrection, to the most Christian party leader. And when asked to recite the Ten Commandments, I resisted the temptation to open the Bible on my desk or the one in my computer, and recited them.

Regrettably I missed one out. The delightful researcher prompted me – "That's only nine." But I couldn't then remember which I had said and which I hadn't. She helped again: "It's a biggie." They are all "biggies" to me, so that didn't help, and I said, "Put me down for nine out of ten."

"It was 'Thou shalt not kill'," she told me, before courteously ringing off. It was a very easy way for a busy, or lazy, journalist to create a story on a dull Sunday.

I feel much better now – not because I have confessed, but because with all the opportunities for research and reference *The Independent* also can't list the Ten Commandments. You omitted "Remember the Sabbath day and keep it holy."

As I try not to shop on Sunday, I'm grateful that you reported the story in Monday's paper. Rev STEPHEN LEEKE Warboys Cambridgeshire Report, page 3

Cars? No way

Sir: Roger Bell implies that all bridledways are open to motor vehicles ("Why go on all fours?", 25 January). Bridledways are legally open only to horses, pedal cycles and pedestrians. Even horse-drawn vehicles are banned unless given permission by the landowner. Motor vehicles are legally permitted on unclassified roads and "byways open to all traffic". J HOWELLS Willington, Derbyshire

Educate young taste buds

Sir: I read with interest the debate on children eating their greens ("Eat those greens", 24 January; letters, 23, 24, 27 January). I am a nutritionist with two children aged seven and four. I succeeded in both cases, and this is how I think it worked.

They never touched a jar of baby food. From breast-feeding they were weaned on simple, home-made foods – puréed apple, carrot or rice – then the same food as we ate. All meals eaten at home are a family occasion. Nowadays they eat most vegetables and fruits. Sometimes they go off one or another for a time, and we don't insist. We had a few very short-lived battles in the early days, solved by making them eat the vegetable first before moving on to the rest of the meal. There was no question of disguising taste – this does not solve the problem. We were absolutely consistent and the battles didn't last. They never starved themselves in retaliation, either.

Food and drinks aimed at children are very high in sugar, salt, flavour enhancers etc, and dull their taste buds. Therefore children enjoy only more of the same. The sad results are to be seen in menus for children in restaurants. Why not simply share an adult main course? Taste buds deserve education, as does the ear for music or the eye for

art, and perhaps more so because long-term health depends on it. Dr LAURENCE VILLARD Oxford

Sir: Emma Haughton and her partner's methods to get children to eat greens were traumatic for all the family.

There is a gentler but longer-term method, which starts by introducing the wonder of spring and summer growth. If a garden, allotment, suitable patio space or even a window-box is available, spring onions, lettuce or radishes can be grown. The involvement of children from as early an age as possible is to be encouraged.

The best way of getting children to "eat greens" is to involve them very gently in their production. KEN MOORE Milton Keynes Buckinghamshire

Virtually safe?

Sir: A great deal of space and time is being given to telephone banking and other developments likely to lead to the closure of high-street banks, but I have yet to see any mention of the future of a very important service which these establishments provide: providing safe storage for valuable items such as jewellery and confidential papers.

Many thousands of people are prepared to pay a small fee to ensure that items such as these are safe but reasonably accessible. Will someone please tell us whether this service will still be available in the future, and if so how it will be provided? JKC HENDERSON Leatherhead, Surrey

Quick march into the past

Sir: On hearing of the Government's latest initiative to encourage school cadet forces (report, 23 January; letters, 24, 25 January) I was reminded of a turn of events some 38 years ago, when I was a 16-year-old member of a grammar school cadet force.

Up to this time, my friends and I had obediently complied with the CCF training, looking on it as a reasonable preparation for National Service. As soon as the announcement came that compulsory service was to be discontinued, rendering the training quite irrelevant, a large number of us suddenly realised our disgust with gun culture, and left the CCF forthwith.

Were we wimps, presagers of Sixties' flower power, or teenagers rebelling against our fathers' traditions? I feel that we had it right. RICHARD TYACK High Barnet, Hertfordshire

Sir: Some 60 years ago I was a squaddie in an Officers Training Corps unit, the predecessor of today's Combined Cadet Force at a minor public school, Mill Hill.

I remember being hauled out of bed at a badly early hour to climb into rough, ill-fitting khaki uniform and take hold of a First-World-War rifle almost twice my weight, and then to be bullied around the school yard.

"Left, right, left, right. About turn," shouted the little bugger who had earned sergeant's stripes, and who was also head prefect. This nasty young bully later beat me with his prefectorial cane (a thing allowed in those days) because he claimed that I had acted in an impudent fashion by "singing too loudly" when he had ordered his platoon to march to the sound of good old military songs such as "Tipperary".

I have remained eternally grateful for my experience in the OTC. It taught me an abiding contempt for mindless, petty authority. DONALD GOULD Cambridge

Sir: There is a strange belief current that soldiers and military cadets are better behaved than ordinary people.

On parade, the average soldier is a model of discipline, respect, and mindless obedience. Off duty, however, he and his loyal teammates have been known to cause unseemly disturbances, to speak disrespectfully of their betters, and to nick whatever is not nailed down.

Some of the arguments advanced in favour of persuading adolescent boys to pretend to be soldiers are redolent of the Thirties.

In the new world of peaceful negotiation under a nuclear umbrella, Britain needs schools full of army recruits as much as Switzerland needs an expanded navy. MAURICE HILL Javea, Spain

Sir: What kind of people are running this country? First short, sharp shocks, then boot camps, and now military training for schoolchildren!

Ten years down the road, do we see Nuremberg-style rallies for our schoolboys? And what have they in mind for the girls?

Are these people mad, or just dangerous? E.J.L. THURGOOD Great Barton, Suffolk

Post letters to *Letters to the Editor*, and include a daytime telephone number.

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argument

It is 30 years since Christiaan Barnard carried out the first organ transplant, yet the UK still has no rules for who gets treated – and who is left to die

by Jack O'Sullivan

For nearly three decades, surgeons have been saving patients on the verge of death thanks to organ transplantation. These days, the pioneering work of Christiaan Barnard is almost routine but still miraculous for those lucky enough to receive a new heart, lung or liver. Yet the reasons why some are chosen and others are turned away remain shrouded in secrecy. It is extraordinary that those refused a transplant typically accept the decision without rancour. They certainly do not contest it publicly. And then, usually, they die.

The case of 15-year-old Michelle Paul, the teenage drug user who died after being refused a liver transplant, has, however, thrown a rare spotlight on the Godlike powers doctors retain in determining which patients receive the small, limited supply of vital transplant organs – and who dies. Even now, few people appreciate the lack of rules governing these powers.

Christianity's God promises eternal life if you abide by 10 clearly defined commandments, but there are no such national guidelines to inform a dying person what is required to qualify for a new liver, heart, lung or kidney. Without such rules, it is difficult to seek judicial review of a doctor's decision. So unless transplantation from pigs is perfected and offers a plentiful

supply of replacement organs, patients must place their hopes in the paternalistic hands of the doctors whose preferences control this particular lottery.

You might think qualification depends on being next on the waiting list or on being seriously ill or on being young or having dependent children. Doctors certainly consider these factors. They take extremely seriously the responsibility of deciding between competing claims. But there is no formal points system, which, though imperfect, would at least be transparent and contestable. In practice, the final decision is left to a doctor's discretion by the United Kingdom Transplant Support Services Authority, a doctor-dominated body which oversees the system for the NHS. Doctors alone decide whether someone is even put on the waiting list.

There is, therefore, little to prevent a surgeon from choosing to give little Johnny a new liver because his dad is an old friend from university and the surgeon couldn't possibly let him down. If a surgeon behaved in this way, the public would not discover his reasoning because there is no legal requirement upon doctors to explain why they gave one patient an organ and turned down another. The authorities judge that such decisions – and even the people who make them – are best kept out of the public gaze.



Christiaan Barnard in 1967 with the first heart-transplant patient, Louis Washkansky

This hidden, unaccountable world is typical of a health service that refuses to involve the public in the rationing of health care. It has disturbing echoes of Michael Crichton's 1978 fantasy thriller *Coma* in which comatose patients are used as donors for organ transplants. At the denouement, Richard Widmark, the chief surgeon at the centre of the plot, protests that he and his colleagues behave like gods because neither the public nor politicians are willing to face the hard issues raised by medical advances.

This much is certainly true of the British transplant programme, according to a research project just completed during a British government-sponsored Atlantic Fellowship by Jeffrey Protas, Professor of Public Policy at Brandeis University, Boston. Dr Protas has discovered that there is no easy way to check that organs are being used equitably. Socio-economic data on those given organs – and those denied – are not collected. So we do not know if selection for transplant is biased in terms of race or class. One can only rely on a suspicion that a system run largely by white, professional men will, however inadvertently, benefit their group disproportionately.

"At a local level," says Dr Protas, "there is no public oversight of what happens to organs. Who's next depends on the physician in charge who may vary from day to day. So Dr Small might have a different set of priorities on Thursdays than Dr Jones does on Fridays."

"The system works. I have no reason to believe that bad decisions are being made under what people in the transplant world call the 'club rules'. And the outcomes in terms of survival are as good as, for example, the United States. But

sometimes personal compassion can take over from professional judgement. For example, maybe the husband of a senior colleague needed the transplant, so something had to happen."

A further problem with the British system, says Dr Protas, is that it is difficult to tell whether the NHS gives every region the same chance of transplants. There is little requirement on regions to share non-renal organs, except in an emergency. (One out of every pair of kidneys collected must be offered into a national pool.) So if you live in an area where relatives are reluctant to permit organ donation or where the health authorities are poor at procurement, your chances of survival may be considerably lower when your liver fails than for someone living elsewhere in the country.

The death of Michelle Paul suggests that the UK transplant system, which has long worked within a cosy professional consensus, may be fragile. Like the blood transfusion service, it relies on the trust of the public, which is the source of donated organs. If that trust falls apart, grieving relatives may in future be less generous with the remains of their loved ones.

That danger has already been faced in the US where there are now far more rules than in Britain to determine rights to a transplant. Last year, in a case similar to Michelle Paul's, a woman with Down's syndrome was refused an organ transplant because doctors judged her incapable of maintaining the lifelong drug regime required to prevent rejection. A public outcry provoked a review which overturned that decision – it emerged that the woman, though retarded, held down a job and was responsible. Michelle Paul, before she died, had no such opportunity of a fair and impartial hearing.

Should those who abuse their bodies pay the price?

by Glenda Cooper

"Disease generally begins that equality which death completes," said Dr Samuel Johnson. But in the world of modern health care it seems some patients are now more equal than others.

The allegations made last week that a 15-year-old girl had been denied a liver transplant after taking ecstasy raised once again the moral question: if a patient is a smoker, a drinker or a drug abuser does that somehow make them less worthy of treatment than virtuous people who have eaten their greens every day?

The details of Michelle Paul's case are not yet known, as the fatal accident inquiry has been adjourned until April when Ms Paul's surgeon, Hilary Sanfey, will have the chance to testify. But if it does emerge that Ms Paul was denied the chance of a liver transplant solely on "moral grounds", because of her drug use, this will make us question anew the values we apply when deciding who gets treatment.

Drug users are not the first people to fall foul of implicit rationing in the NHS. In the past there have been claims that smokers and drinkers have been left at the back of the queue. In 1993 Harry Elphick, 47, was refused treatment for a heart condition because he was a heavy smoker. Consultants at Wythenshawe hospital in Manchester told him that tests to show if a by-pass was needed were not carried out on smokers. Mr Elphick quit his 25-a-day habit but died a week before he was due to see doctors again.

Then in 1995 it was reported that transplant units were under pressure to stop offering £60,000 liver transplants to alcoholics, after evidence from the US that most patients' return to heavy drinking after the operation. By some criteria it seems a logical policy. The UK Transplant Support Services Authority reports that there was a 6,000-strong waiting list for all organ transplants at the beginning of 1996. By the end of the year, despite 2,750 taking place, the waiting list had grown by 5 per cent.

So why should the rest of us pay for a new heart for someone who has brought their condition upon themselves by puffing away on 40-a-day? Why should someone who regularly consumes three bottles of vodka a day – as Jim Baxter, the former Scottish football international who received two new livers was said to do – receive a new organ after bringing cirrhosis upon themselves? This is, after all, the real world where there are never enough organs to go round and the dangers of excessive drinking or smoking have been clear for years.

But to start rationing because of deviant lifestyles is a dangerous step. The General Medical Council felt the need to make its view explicit in 1995 when it issued revised guidelines making it clear that doctors "must not allow their views about a patient's lifestyle, culture, beliefs, race, colour, sex, sexuality, age, social status, or perceived economic worth to prejudice the treatment they give or arrange". The council added that doctors "must not refuse or delay treatment because [they] believe that patients' actions have contributed to their condition". The British Medical Association said decisions must be made on clinical need and "patients should not be discriminated against on the basis of moral judgements".

Where, after all, do moral judgements leave us? There have also been allegations of discrimination and prejudice against drunk drivers, gay men with HIV, women seeking abortions, people from ethnic minorities and the elderly. In the end, should dentists refuse to treat children who have persistently and defiantly eaten sweets all their lives?

If a smoker, a drinker or a drug user is unlikely to survive a complicated transplant operation then, in the real world, it is better to give the organ to someone who can benefit more. But to condemn them purely for their habit and refuse to treat them on that basis is repulsive. Surely it is more important to encourage more people to pledge their organs for use after their death so the waiting list can be contained, rather than stigmatising people for their habits. "Life unworthy of life" was, after all, the phrase used by the Nazis to justify the murder of 100,000 psychiatric patients in the run-up to the Final Solution.

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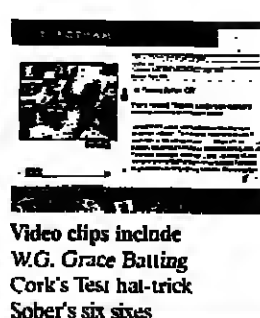
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A defining moment in British history

There are several ways of filling in the time before the next election. One is to put your head in the sand and pretend it may never happen, as the Tories seem to be doing. Another is to shrug your shoulders and say that it won't make a lot of difference either way, as the electorate seems to be doing. And another approach is to get so terribly excited that you even start speculating over what might be in the Tory manifesto, the approach preferred by the media.

For the remaining handful of us who are determined to take this election seriously, ie to look for a way of getting the Tories out without letting Labour in, I am providing a series of election guides of which this is the first: a glossary of the main terms which you will be hearing in the run-up to the election.

On election night it is traditional to wait up and watch the results coming in on television. Occasionally it is fairly clear quite early on which side is going to win, but these days it tends to be a close-run thing, so you sit

up later and later with a glass in your hand which you keep refilling. The more you refill the glass, the hazier things get and you finally forget which one is Dr Mawhinney and which one is Vincent Hanna, and all the Dimblebys merge into one big Dimbleby, and finally you roll into bed drunk but happy at 4am, and the next morning your partner says, "So who won?" and you find you can't remember. So when this election does finally come, it is probably best to try to abstain on the night.

ADDRESS It is traditional for each candidate to send out a leaflet with his or her election address on it. Oddly enough, the only address that is ever given in full is not that of the candidate but of the printer of the leaflet.

ADOPTION When a constituency party chooses a candidate, it is said to adopt him. This is so that later on, if the candidate fails, the party committee can send for him and say: "I'm afraid we've got something to tell you, Jim. You're not our real candidate. You're only



Miles Kingston

adopted. So we are kicking you out. Sorry."

BLOOTERED A Scottish word for not abstaining.

BROAD CHURCH Whenever a party is accused of lacking unity, it defends itself by saying that it is big enough to risk disagreement in its ranks and is not afraid of debate, unlike the other side. It then says: "We are a broad church." If it means anything, this means that they are broad-minded enough to accept agnostics and atheists if things get bad enough.

CANDIDATE A person who wants to become an MP, and is therefore by definition a bit of a loony, is called a candidate. If he or she succeeds in becoming an MP, they will be sent to a large home for the incurable in London called the House of Commons where they can mix with others suffering from the same delusions. Note that a candidate never describes himself as simply a candidate. He always calls himself "your" candidate. "Hello, I am your Tory candidate," he tells you. This is untrue. He is not your candidate. He is the Tory party's candidate, and if elected he will not become your MP – he will become the Tory party's MP.

CLARK, ALAN We shall be seeing a lot more of Mr Alan Clark in the election run-up. Among other things he is the first Tory candidate in history who has ever been selected on the grounds that he will get a good diary out of the next parliament. He has been chosen for what is described as a "safe Tory seat", a concept which has otherwise

almost disappeared from meaningful discourse, and will therefore have more time than most Tories to go on radio and TV. He is also believed to be the first Tory candidate to be chosen for his age, which is 69. In most candidates this would be thought to be over the hill, but in Clark's case it is thought to be a good sign that he is now too old to chase the girls, or at least to catch them.

CONSTITUENCY As election night rolls on, this becomes the hardest word of all to say. As a matter of fact, people who are auditioned for the presentation of Election Night Special have to drink two stiff whiskeys and then say "The Chichester constituency" three times without a mistake.

DEPOSIT A small mark on a ballot paper which leads to it being deemed a "spoilt vote". Next time we shall range even further into the alphabet, aiming to reach such landmarks as "elder statesman", "fringe candidate" and "spin doctor". Start collecting now!

Michael Portillo misjudged politics and public



Donald Macintyre

Politicians have a habit of going wrong when they try to be what they aren't

There used to be something called the New Right. It didn't mind being a divisive force within British Conservatism. Indeed it wasn't really conservative at all, but radical. It imported some of its ideas from the United States. Its figurehead, Margaret Thatcher, was never unambiguously New Right, but many of her younger and most devoted followers were. Most of them had scant respect for institutions such as the Bar, the BBC and Oxbridge. Some of them were convinced libertarians. At least one present minister was an advocate of legalising heroin when he was, like Michael Portillo, a hackbench member of the Thatcherite No Turning Back group. And while they weren't remotely republican, they weren't misty-eyed ultra-monarchists, either. They weren't really all that interested in the subject.

But having hijacked the Tory for a decade or more, the most ambitious of them started to recognise that many of its passengers had other, more old-fashioned obsessions. The attempt by the pretenders of the new right to reconnect to the old right has been a submerged but important story of the last five years. It is surely part of why in 1994 Portillo started making the odd speech lamenting the disrepute into which the country's ancient institutions, including the monarchy, had fallen. This was all the more striking because he came from the wing of the party which had shown the healthiest disrespect for tradition. And it was part, perhaps, of why John Redwood made the refitting of *Britannia* an eye-catching centre-piece of his 1995 Tory leadership campaign. All this reached a kind of zenith in the House of Commons on Wednesday, when Portillo delighted a wide section of his party, and appeared to trump his leadership rival Redwood, by announcing that *Britannia* was to be replaced, at a cost of £60m, from public funds.

Portillo has run into trouble on two fronts. First, he has been caught playing party politics with the monarchy. Which has upset the very Palace courtiers the announcement was designed to please. He might just have escaped that charge – wittingly levelled by Sir Edward Heath yesterday – had he not made the revealing slip on Sunday of gloating that Labour had been “wrong-footed”.

Secondly, he has misjudged public opinion. The poll commissioned immediately after the TV royal debate two weeks ago showed large support for a continuing monarchy. On the other hand, that polling – and rudimentary polling carried out since Portillo's announcement – suggest that most people still think the Royal Family costs the taxpayer too much money. It's all very well saying airily that £60m is just small change to the Treasury. To most ordinary people, innocents as they are, it sounds like rather a lot of money.

It is easy to put this down to mere misjudgement; goodness knows Portillo has shown

spender at the MOD – partly by securing the purchase of hugely expensive weaponry which many of his critics think is of doubtful value in the post-Cold-War era. One of Portillo's great potential strengths as a politician is that he is, like Disraeli, partly an outsider. With a Scottish mother and a brave and distinguished Spanish republican as a father, Portillo has a larger perspective than many of his colleagues. Is the Tory party really so xenophobic that he has to submerge his proud Castilian origins in a sort of mystical Anglo-chauvinism?

The yacht may, in some form, be worth having. Hamish Macrae demonstrated here last week how it could be made to sweat financially in the national interest. But the euphoria that greeted the Portillo announcement barked back to an earlier era in which it was a symbol of a now obsolete imperial pride. The Queen herself, in 1994, made it clear that in the jet age she no longer needed it for travel. And here is the danger for Portillo, especially if he becomes leader of the Tory Party. The world he will seek to inherit will probably be very different. The monarchy may prove to be a rather powerful symbol of how. It's a safe bet it will survive – and an equally safe bet that it will be in a slimmed-down, modernised form. The danger for Portillo, and the case of the yacht is only an example, is that rather like Anthony Eden in the Fifties he will be seeking the highest office just when the ideas with which he rose in politics have been superseded. Of course, it's true that the fault isn't Portillo's alone; the whole Cabinet took the decision. But Portillo wanted the credit. He must surely take the blame.

questionable judgement before. The gruesome, stomach-turning speech in the 1995 conference trying – and spectacularly failing – to incorporate the SAS as the military wing of the Tory party was only one of several.

But he had seemed to settle down. His conference speech last year was a model of statesmanlike dullness. He can't simply be patronisingly let off as a callow and inexperienced politician. It's not only that he is one of the most intellectually capable British ministers, the reputation he has since rebuilt at the Defence Department is all the more remarkable given the damage he did himself with the SAS speech. Whether it will be undamaged by this latest episode remains to be seen; can the hard-pressed Chiefs of Staff really want the running costs of the yacht to be financed out of the Ministry of Defence's own budget – an idea thought decadent by the former defence minister Alan Clark? It's hardly an example of *From Line First*.

The answer is surely at once deeper and more serious. Politicians have a habit of going wrong when they try to be what they aren't. There is a formidable case for saying that's just Portillo's problem. And it's not only that coming from the state-shrinking wing of the party, Portillo had been a formidable

Michael Portillo's decision to spend £60m of government money on replacing the royal yacht *Britannia* really touched a nerve – the public do not want to pay out for a new luxury yacht. This is why Labour opposition to the plan, a rare event these days, had stiffened by the weekend. Telephone polls are not trustworthy, but the fact that all five did show overwhelming rejection seems to have convinced Blair and co.

Nor is the issue of public money one which attaches to the royal yacht alone. Much of the flak which the royal family has received has always concerned the cost of hangers-on. For many this definitely included Princess Margaret, the subject of a documentary tonight on Channel 4, in its *Secret Lives* series. She has never been the most productive of royals – she always came near the bottom of the league table of royal activity. Even when the monarchy was much more popular than today, Margaret attracted Fergie-style attention for her holidays in the Caribbean, leading the former republican MP, Willie Hamilton, to ask: what is Princess Margaret for?

One gets a feeling of *déjà vu*. As with the 1992 Windsor fire, the Government has shown great enthusiasm to meet the costs from the public purse, whereas the majority of people think otherwise.

Then, attention was focused on the Queen's tax-exemption and the number of royals paid for by the Government from the Civil List. Within days of the Windsor fire, the Queen finally and reluctantly – after 40 years – agreed to pay taxes, except for inheritance tax, and to take Margaret, Andrew, Edward, Anne and the Dowager Duchess of Gloucester off the Civil List. Everyone nowadays seems to accept that the Queen pays £890,000 a year for these minor royals out of her own pocket.

Of this, £219,000 is for Princess Margaret. So the Queen may be thought to have skirted around Willie Hamilton's question: what is Princess Margaret for? She is the Queen's sister and she, not the public purse, helps support her. However, the £890,000 for

by Phillip Hall



If Margaret and co can't make do on their own, the Queen should pay for them herself

these royals comes not from the Queen's private pocket but from somewhere very different – the Duchy of Lancaster.

There is much confusion over the status of the Duchy, whose annual income of £5.35m goes to the Queen. That she draws this revenue suggests that it is her private property, yet when the Palace calculates her private wealth they never include the £1,150 acres of land and £32m of investments from the Duchy. Also, the Duchy, if not on a day-to-day basis, is in the charge of a government minister.

At the moment it is Roger Freeman who carries the title of Chancellor of the Duchy of Lancaster (his main job is Minister for Civil Service Reform and the Citizens' Charter). So it seems strange that the money does not go to the Government,

as is the case with the profits of the Crown Estate.

Over the last 200 years, all manner of leading politicians have maintained that the Duchy and its revenues really belong to the public. These include Edmund Burke, Lord Palmerston, Lord Brougham, Sir Charles Dilke, Clement Attlee and many more.

The Duchy of Lancaster's origins go back to 1265, even further in time than the Duchy of Cornwall, a higher-profile organisation, whose income goes to Prince Charles. Monarchs had for hundreds of years treated the Duchy of Lancaster's rents, along with tax revenue, as money for the business of government, not as a fund for personal expenses. So it is an anomaly, now that government finance is totally detached from the monarchy,

that its profits did not pass to the Treasury.

The Duchy revenues would have been transferred to the public purse in the last century, if William IV in 1830 had not dug in his heels and simply refused to hand over the income. The government of the day gave in, vainly hoping to get William not to use the royal prerogative to block the Reform Bill to extend the vote from its then extremely narrow base. They were unconvinced of his case, but acted out of expediency. He did not return the favour, and in the end did his best to block the Bill.

A government attempt at taking back the Duchy in 1860 came to nothing. It probably backed down in face of opposition from the recently widowed Queen Victoria.

Yet the ties to government

remain. The Duchy, whose headquarters are close to Waterloo Bridge in London, requires Treasury approval for many of its financial decisions. In this respect it has the same relationship with the Treasury as other government departments. It also has to submit accounts to Parliament, again showing that it is hardly a private possession of the Queen.

Even Kenneth Clarke, when he was Chancellor of the Duchy in the late Eighties, confessed that a “private estate” which was regulated by a government department, “puzzles me”. The solution to the puzzle is that this is not money that should legally and constitutionally go to the monarch.

Princess Margaret also lives rent free at Kensington Palace, which is maintained at public expense. Other perks, such as her clothing allowance for official royal tours abroad, are paid for by the Foreign Office. In June 1995, a one-week visit to San Francisco seemed to require a clothing account for that visit alone of £7,200 – more than those at the bottom end of the income scale might spend on clothes in a lifetime.

However, it is the Duchy revenue which is the highest loss to the taxpayer. If Margaret and co plus the Queen's cousins – who from an earlier date were put on the Duchy payroll – cannot make do on their own, the Queen might pay for them from her own pocket. This is, in any case, what people think already happens.

Estimates of the Queen's wealth in stocks and shares vary, from the Palace's own £70m to mine of more than £400m. Even on the lower figure she can afford to keep them above the poverty line, especially as some of these royals are hardly urgently in need, when they or their spouses already earn an income as company directors, and also have inherited wealth.

If our prospective chancellor, Gordon Brown, can show some resolve towards the royal yacht, he should do likewise and make plans to take back the Duchy of Lancaster.

Phillip Hall is author of *Royal Fortune: Tax, Money and the Monarchy* (Bloomsbury).

No passport, no job

A new law dictates that employers must also be immigration officers. By Camilla Palmer and Alison Stanley

Beginning this week all employers, even those employing only one individual (such as a nanny) will take on a new role – that of immigration officers. The Home Office denies this, saying that “responsibility for immigration control remains firmly with the Immigration Service”. Yet the new Asylum and Immigration Act 1996 in effect imposes an obligation on employers to carry out checks on all job applicants to see if they are allowed to work in the UK. Although these checks are not compulsory, if employers do not carry them out they risk a fine of up to £5,000 if it transpires that an employee has no right to work in the country.

Employers will not commit an offence if they check, before hiring someone, that she or he has a right to work in the UK. This is done by asking for one of a number of specified documents, for example a passport or other travel document, birth certificate or document stating the person's national insurance number. However, it is often very hard to work out from these documents whether a person has the right to work.

The quantity of documents is extensive and employers may decide to rely on national insurance numbers. However, as national insurance numbers have been issued to a large number of people who do not have an unqualified right to work in the United Kingdom, a national insurance number alone will be insufficient in certain cases. The most obvious example is the working holiday-maker category. Thousands of young people come to the UK every year in this capacity.

Working holiday-makers are Commonwealth citizens, aged between 17 and 27 who are given permission to work in the UK for up to two years, “incidental to their holiday”. This phrase is not elaborated in the Immigration Rules, nor is it clear from the passport stamp given to a working holiday-maker, but people on this category are meant to work only part-time, or on a casual basis. If they work full-time, they should only do so for half of their stay in this country.

The potential for confusion for employers is great: on the one hand employers will have great difficulty in deciding who has a right to work, and on the other, they must not discriminate between people, merely on the basis of their race, colour or nationality. For a government that champions deregulation, the obligations of the Act impose an extra and potentially costly burden on employers.

One of the main dangers in this unnecessary and oppressive piece of legislation is

Some people may consider it easier to interview and appoint only white applicants

that some employers will make an assumption that white applicants have the right to work but black and ethnic minority applicants do not. There is a real risk of race discrimination, as some employers may consider that it is easier to interview and appoint only white applicants. Others may carry out a check only on applicants who they think do not have a right to work here. Employers who act on these assumptions will fall foul of the Race Relations Act. The starting point should be, as the Government itself acknowledges, that most people from ethnic minorities are British citizens and most non-British citizens from the ethnic minorities are entitled to work here.

The Race Relations Act outlaws discrimination on the grounds of race in the selection of employees. The Home Office

guidance points out that if an employer refuses to consider anyone who “looks or sounds foreign”, this is likely to be discrimination. It will also be discriminatory to ask people who look or sound “foreign”, for their passports and people who look or sound “British” for their national insurance number. The only way to avoid discrimination, advises the Government, is to treat all applicants in exactly the same way at each stage of the recruitment process. Employers who do not appoint a person in order to avoid having to carry out a check or who only do checks on white applicants will be breaking the law. And the consequences can be expensive. There is now no limit on the amount of compensation that can be awarded under the Race Relations Act. Some applicants have received substantial awards, one recently for £130,000 for unlawful discrimination.

Racial discrimination in the workplace is already rife. There is high unemployment among many ethnic minority groups, who are also denied training opportunities and promotion. There is a continuous stream of discrimination cases brought against employers for denying jobs, training, and promotion to people because of their race, nationality or colour. The employment provisions of the Asylum and Immigration Act 1996 are yet another barrier to equal opportunities.

The Labour Party also believes that the checks will harm race relations, place further burdens on businesses and will be ineffective in tackling illegal working. Jack Straw, the Shadow Home Secretary, has said that the checks “will almost certainly be effective in limiting further the employment prospects of black and Asian people and damage race relations”. He has pledged that a Labour government would not enforce the provisions. He should go further and pledge to repeal them.

The writers are solicitors at Bindman & Partners in London specialising in discrimination and immigration law.

Oh for a warm body to answer BT's phone

British Telecom has spared no expense telling us it is “good to talk” and now it is spending tens of millions of pounds teaching us how to talk good (so to speak) with its new TalkWorks programme. This is all about the art of conversation and its secrets can be found in a 94-page book that is being sent free to 20 million households.

Mine was not one of them so I rang British Telecom. “Good afternoon, welcome,” said a voice and I realised this was not going to be a quick call. This is what the experts call an “interactive voice response” unit or IVR. So far, 38 per cent of all calls in western Europe are answered by these machines. The others get what they call a “warm body response”, and that was what I wanted: a warm body to order my booklet from.

The Voice had other ideas and was already on a tangent, asking personal questions about touch-tones and telling me to hit my “star” key. This had to be a bad idea and yet for some reason – curiosity? honesty? frustration? – I did. Five options followed but none even got close to my request. “I’m sorry, I didn’t detect a valid key press,” said the Voice, and started repeating herself.

I rang back but – very daring this – did not hit the star key and waited for the warm body that surely must follow. To my horror, the Voice was back: “To use this service, you will be asked to speak your response.” She ran through the same options. I refused to speak. She refused to react. I hung up

because that is what you do when you realise you are having a fight with a machine.

More calls, more voices, musical interludes and wrong numbers. Finally a warm body put me on hold and came back with a freephone number. This time I expected the Voice but it just kept ringing. I hung on, chattering emotion as follows: irritated at ring 10, frustrated by 20, angry at 30, seething at 35 and amused and amazed at 40. By the time a warm body answered on the 47th ring, I just said “hello” and asked for the booklet.

TalkWorks has lots of tips for being loving, giving, caring, sharing. It advises us on being a good storyteller, a good understander (sic) and how to “give feedback”. It says that we should “avoid the blame game” and “make conversations like dancing – a two-way partnership with neither side dominating”.

For most people this would involve five years of therapy, minimum. The Inuit may have at least 12 words for snow but the British are minimalists who have managed to make the word “sorry” mean anything from “I think you are an idiot” to “I think you are fabulous”. Stiff upper lips do not make the best dance partners and there is some way to go before we are tangoing and not just tangled (or even know the difference).

Of course BT has even further to go. We humans can always keep on trying but machines couldn't dance if they tried.

Ann Treneman

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Strong growth not enough to force rates rise

Diane Coyle
Economics Editor

The economy's pace of growth picked up to the fastest for more than two years in the final quarter of 1996. But the fact that it was no stronger than expected led City experts to predict interest rates would not rise this side of the general election.

The service industries set the pace, with growth in business and financial services revisiting late-1980s rates. Construction also picked up significantly, while industrial output grew at a similar rate to the third quarter and agricultural output fell.

Analysts concluded that this was not buoyant enough to

force Kenneth Clarke to accept Bank of England advice to increase the cost of borrowing. Eddie George, Governor of the Bank of England, is expected to repeat this advice at the monthly monetary meeting next week – a week ahead of the Bank's quarterly Inflation Report.

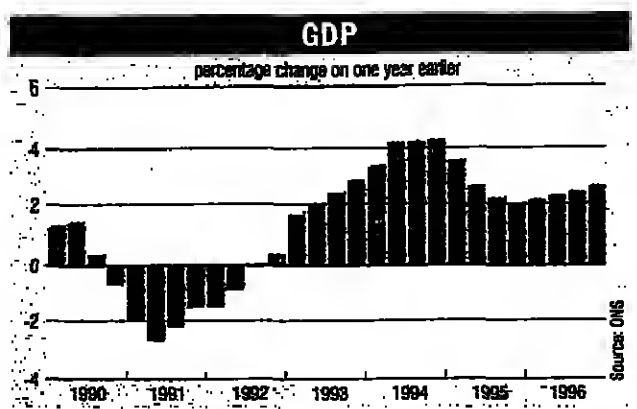
The Chancellor and the Governor are both in an entrenched position," said Geoffrey Dicks, an economist at NatWest Markets. "But Mr Clarke has got more on his plate than worrying about the inflation rate at the back end of 1998."

Gross domestic product (GDP) increased by 0.8 per cent in the final quarter of last

year, taking it to a level 2.5 per cent higher than a year earlier. Excluding North Sea oil, the quarterly rise was 0.7 per cent. GDP in 1996 as a whole was 2.3 per cent higher than the previous year.

"Throughout the length and breadth of the country households are enjoying the benefits of healthy economic growth," Mr Clarke said, commenting on the figures.

Speaking on BBC television on Sunday, the Chancellor played down suggestions of disagreements between himself and Mr George. "I'm not going around thinking I'm infallible. The differences between us have not been enormous," he said.



Details of the breakdown of growth are sketchy at this preliminary stage, but the Office for National Statistics (ONS) indicated that growth was strongest

in the service industries. There total output was up 0.9 per cent, reaching a level 3.4 per cent higher than a year earlier. Growth in business and financial

services was at the upper end of their recent range of 1.2 per cent a quarter, making it similar to the pace set in 1988.

Within finance, the strength was concentrated in banking. Within business services, computer services and areas such as law, accountancy and management consultancy were the most buoyant.

The construction industry expanded by significantly more in the fourth quarter than it had in the third, according to the ONS. Although the gains were spread across sectors, house-building was especially strong.

The statisticians estimated that manufacturing and industrial output had grown by about as much in the October-

December quarter as they had in September to November. Figures published for that period show growth of 0.6 per cent and 0.4 per cent respectively.

Many City economists reckoned yesterday's figures, combined with signs of weakness in manufacturing due to the strong pound, meant Mr Clarke would be right to postpone a rise in interest rates. Others say the recovery is gaining strength and could trigger higher inflation unless the cost of borrowing rises.

"With economic growth set to accelerate further during the course of the year, we expect interest rates to rise significantly in 1997," said James Barty, UK economist at Deutsche Morgan Grenfell.

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Steel sells BSF for £74.5m in strategic U-turn

Chris Godsmark
Business Correspondent

British Steel yesterday announced what amounted to a strategic U-turn with a £74.5m deal to sell its forgings business, British Steel Forgings (BSF), which makes a wide range of products for the engineering industry.

It comes just two years after British Steel bought out its partner in the division, the car parts group GKN, arguing that the engineering steel business was now a "core activity". British Steel Forgings (BSF) was previously part of a series of Government sponsored "Phoenix" companies created in the 1980s to rationalise an industry dogged by huge overcapacity.

The latest deal involves selling BSF to a newly formed business, United Engineering Forgings, created and funded by the venture capital group Prudential Venture Managers. British Steel will receive £74.5m in cash, while Prudential has raised a total of £92m to fund the management buy-in and pay for future investment.

Prudential said the existing management of BSF would stay in place, but it had appointed Bob Bates as a new chief executive. Mr Bates was previously managing director of a subsidiary of I&T, the automotive components group. BSF's current chief executive, John Dawson, will return to British Steel.

BSF is a key player in the market for forged products used in the car and aerospace industries, with around half of the UK's forged steel manufacturing capacity. It has 2,100 employees at six plants and made a trading profit of £10m in the year to 31 March 1996 with sales of £157m.

Prudential said it wanted to concentrate on increasing export business, despite admitting concerns over the recent surge in the value of the pound. It said the buy-in should secure jobs, though it could give the workforce "no guarantees".

In another apparent shift in direction, British Steel yesterday said it decided to sell off the company because "as a stand-alone downstream business" it was "somewhat removed" from its core steelmaking and rolling activities. However, the £95m agreement in 1995 to buy out BSF's parent, United Engineering Steels, was viewed at the time as a move by British Steel into higher value-added products.

Like other "Phoenix" companies, United Engineering Steels was hit by fierce competition and declining demand during the recession, leaving GKN with losses of £60m on its original investment made in 1986.

Stagecoach held up by threat of MMC referral

Michael Harrison

Stagecoach, the acquisitive bus and train group, was stopped in its tracks yesterday after the Government warned it would be referred to the Monopolies and Mergers Commission if it was selected to run ScotRail, which operates rail services in Scotland.

John Taylor, the corporate and consumer affairs minister, took the decision after being advised by the Director General of Fair Trading, John Bridgeman, that a takeover would give rise to competition concerns in Scotland. The Government's announcement is unusual in that it is the first time a company has been blocked from taking over a passenger rail service before the franchise has been awarded.

The decision is a setback for Stagecoach, which is expanding aggressively from buses into

trains as part of a strategy to increase turnover to £2bn by the end of the decade.

As well as being Britain's second-highest bus operator, the group already owns two rail franchises – SouthWest Trains and Island Line on the Isle of Wight – and the Porterbrook train leasing business.

Stagecoach is also one of the biggest bus operators in Scotland, running services in Glasgow, Aberdeen, Inverness, Fife and Perth. If selected for the ScotRail franchise, it would be the most powerful player in the Scottish transport market. ScotRail has annual revenues of £86m, just under 4,000 staff and operates 1,500 route miles between 327 stations.

A spokesman for Brian Souter, the chairman and co-founder of Stagecoach, said last night: "We are seeking an early meeting with the Office of Fair Trading. We would not

have started on the process of bidding for ScotRail if we had thought the problems were insurmountable."

Stagecoach is in competition for ScotRail with the coach operator National Express. Prism, which is owned and run by a group of bus industry executives, a consortium involving Go Ahead, another bus group, and the ScotRail management.

A spokesman for the director of passenger rail franchising, John O'Brien, said he expected to announce the preferred bidder for ScotRail in the next fortnight and award the franchise in the next four to six weeks. If Stagecoach is successful and its bid is referred to the MMC for an inquiry lasting at least three months then it could fall to a Labour government to decide whether to allow the deal to go through.

Mr Taylor said his decision did not prejudice the franchising director's decision, nor did it prejudice whether a merger of Stagecoach and ScotRail would be against the public interest. "It would be for the MMC to report on this after investigation," he said.

A spokesman for the DTI declined to spell out precisely what his objections were other than to say that it was concerned about "numerous and complex potential rail and bus overlaps in the franchise area".

Last month National Express agreed to a series of undertakings to avoid an MMC referral of its takeover of another rail franchise, Midland Mainline. The Government was concerned about its domination of



Brake on the bid: Brian Souter, chairman of Stagecoach, is seeking an early meeting with OFT to resolve the ScotRail issue

the market on coach and rail services between London and five cities in the Midlands and the North. However, the DTI spokesman said that in the case of Stagecoach and ScotRail there were no undertakings that would be sufficient to prevent a referral.

It is not clear whether Labour would block the sale of ScotRail if it were in power when the MMC reported. Under the Railways Act, the Secretary of State for Transport is under a duty to privatise the railways. Were Labour to decide not to award the ScotRail franchise then it would probably have to amend primary legislation.

Stagecoach insiders said they found it odd the Government had decided to make a referral because local bus operations and long-distance rail services were separate and distinct markets.

In the case of its takeover of SouthWest Trains, one of the factors in its favour had been the way Stagecoach's bus branch lines knitted together with commuter rail services.

Stagecoach is also bidding for the five other passenger franchises still to be awarded – Central Trains, North West Regional Railways, Regional Railways North East, Thameslink and InterCity West Coast.

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Mr Souter's great railway journey

Dec 1995 – First move into the rail industry as Stagecoach is awarded seven-year franchise to run SouthWest Trains – Europe's biggest commuter railway with 200 stations and 4,000 staff.

July 1996 – Stagecoach buys the train-leasing company Porterbrook for £825m and announces that it will bid for all remaining British Rail franchises.

Oct 1996 – Starts operating rail services on the Isle of Wight after being awarded a five-year franchise to operate the Island Line.

Jan 1997 – Stagecoach seeks urgent talks with the Office of Fair Trading after being told it will be referred to the MMC if it is awarded the franchise to run ScotRail.

Prudential fined £75,000 for problems with PEP schemes

Imro, the investment regulator, has reprimanded and handed out a £75,000 fine to Prudential, the UK's largest insurance company, for breaching rules over the administration of some personal equity plans.

Prudential has also paid £25,000 in compensation to 6,000 disadvantaged customers, which amounts to less than £5 each. However, the final bill will rise as Imro's disciplinary tribunal has ordered Prudential to pay investigation and tribunal costs which have yet to be set.

The company is the first to be reprimanded and fined for problems with PEP schemes. Imro said Prudential Personal Equity Plans had admitted

that it failed to carry out reconciliations and corrections of PEP client money accounts, failed to notify Imro that these had not been done and failed to have adequate compliance arrangements in place.

The problematic PEPs were self-select and single-company products. Prudential stopped marketing these products in 1993 after realising they were difficult to administer. Prudential continues to market a unit trust PEP.

A spokesman for Prudential said: "Imro's fine of £75,000 on Prudential Personal Equity Plans related to problems with reconciliation of PEP client bank accounts prior to 1994.

"When they came to light, remedial action was taken and no customers were disadvantaged. Procedures were put in place to ensure these problems will not occur again. These problems were administrative, involving delays in crediting interest to customers' accounts."

The rules that were broken concerned provisions to ensure companies held the correct amount of money for clients and were aware of the individual sums of money held for each client at all times.

Prudential faced six charges, including the failure between July and November 1993 to make up a deficit in its self-select PEP client money accounts.

Morgan Grenfell outperforms pension fund heavyweights

Peter Rodgers
Financial Editor

Morgan Grenfell was among the top performers among big name pension fund managers last year, while the controversial PDMF funds made a late sprint in the fourth quarter to regain a little of the ground they had lost earlier in the year.

Morgan Grenfell, employer of Nicola Horlick, the fund manager who quit this month, was in sixth place overall, beaten by several much smaller funds, according to a survey of pension funds by CAPS and the actuaries Bacon & Woodrow published today.

But of the larger pooled pen-

sion funds it showed the best return, of 12.2 per cent. Morgan has £934m under management.

Pooled pension funds tend to be a small proportion of a manager's total funds, but since their performance is publicly measured by surveys they are used as shop windows for their companies.

The survey also shows that Scottish Amicable, which next week gives more details of its plans to demutualise, had well below average performance last year.

Its rate of return was 8.5 per cent, compared with the median of the 71 pooled pension funds surveyed of 10.7 per cent. ScotAm's performance was

held back by a negative rate of return of 0.2 per cent in the fourth quarter, compared with PDMF's growth of 2.7 per cent during the same period, taking PDMF's annual rate of return to 8.1 per cent.

PDMF has been under the microscope since Tony Dye, its top manager, took his funds heavily into cash in the belief that the stock market was about to crash. Its rate of return remained near the bottom of the league table of large fund managers last year, even with the late sprint.

Nigel O'Sullivan of Bacon & Woodrow said PDMF's style of selecting stocks for value paid dividends in the last quarter.

House of Fraser warns more jobs are in danger

Nigel Cope

House of Fraser, the struggling department store group, is to sell three stores and cut 1,000 jobs in a radical overhaul that will result in the group taking a £50m charge against this year's accounts.

The provisions, which also include heavy stock write-offs, will push House of Fraser deep into the red this year.

John Coleman, who took over as chief executive last year, said there would be no more store sales but would not rule out any further job losses.

"We can categorically say that we will not be selling or closing any more stores."

But on jobs this is the first stage of the review which covered management and administrative areas. We now move onto phase two."

The three stores that will be sold are the Army & Navy in Eastbourne, the House of Fraser in Sheffield and the Binn's store in Southampton.

Though buyers will be sought for the stores it is possible that they will be closed. This would lead to another 300 redundancies.

The break down of the provisions is £22m-£25m for stock write-offs, £12m-£15m for the job losses and a further £7m-£9m for asset write downs and related costs.

With the City forecasting

pre-exceptional profits of £14m for House of Fraser this year, the charges will push the group to a loss of up to £35m.

The group says the restructuring will lead to annual cost savings of £10m.

Commenting on the overhaul, Mr Coleman said it would improve efficiency and trading performance.

"All elements of our strategic review are proceeding on schedule and I expect 1997 to be a year of real progress for House of Fraser."

House of Fraser has store openings planned for Nottingham, Reading, Solihull and Bluewater in Kent over the next three years. It is likely that they will all carry the House of Fraser name.

House of Fraser also announced its Christmas trading statement yesterday.

It showed that like-for-like sales in the 26 weeks to 25 January were 6.1 per cent higher than the previous year.

This included a strong performance just before Christmas and during the January sales.

Own-hought merchandise delivered only pedestrian sales growth of 3.9 per cent. Concessions sales were 10.8 per cent higher.

House of Fraser shares, which were floated at 180p, closed unchanged at 142p yesterday.

STOCK MARKETS					
Index	Close	Day's change	Change (%)	1996/97 High	1996/97 Low
FTSE 100	4212.00	-6.80	-0.2	4271.50	3632.30
FTSE 250	4593.10	-4.90	-0.1	4816.00	4015.30
FTSE 350	2090.30	-3.10	-0.1	2115.80	1816.60
FTSE SmallCap	2291.88	-0.53	-0.0	2294.82	1954.06
FTSE All-Share	2063.71	-2.51	-0.1	2087.11	1791.95
New York	6687.25	-9.23	-0.1	6883.90	5032.94
Tokyo	17334.90	-354.46	-2.0	22666.80	17303.65
Hong Kong	13294.90	-84.85	-0.6	13868.24	10204.87
Frankfurt	2994.53	-3.71	-0.1	3033.48	2233.36

Source: FT Information

INTEREST RATES

Short sterling*

Month	Rate
Jan	6.54
Feb	6.48
Mar	6.42

* Life Stock Market related

UK medium gilt

Month	Rate
Jan	7.7
Feb	7.6
Mar	7.5

* Money 1% 200

US long bond

Month	Rate
Jan	6.8
Feb	6.7
Mar	6.6

Money Market Rates

Index	1 Month	1 Year	Medium Term (%)	Year Ago	Long Bond	(%) Year Ago
UK	8.09	6.75	7.49	7.47	7.58	7.64
US	5.44	5.91	6.65	5.67	6.92	6.07
Japan	0.44	0.44	2.35	2.94		
Germany	3.09	3.16	5.80	5.94	6.64	

* Benchmark Indices

MAIN PRICE CHANGES

Rises	Falls	Price (p)	Change (p)	% Change	Price (p)	Change (p)	% Change
BICC	293	14.5	5.2		379	16	3.1
Barclay Group	697.5	23.5	3.5		205.5	7.5	3.5
Sellway	368.5	12	3.4		376	13.5	3.5

CURRENCIES					
£/\$	£/DM	£/¥	£/A\$	£/NZ\$	£/HK\$
1.67	2.71	160.7	0.68	0.58	7.79
1.66	2.69	160.7	0.68	0.58	7.79
1.65	2.67	160.7	0.68	0.58	7.79
1.64	2.65	160.7	0.68	0.58	7.79
1.63	2.63	160.7	0.68	0.58	7.79
1.62	2.61	160.7	0.68	0.58	7.79

OTHER INDICATORS					
Index	Yesterday	Day's chg	Year Ago	Index	Yesterday
Oil Brent 5	22.11	-0.28	16.22	RPI	154.4+2.5pc
Gold S	354.75	+1.9	406.20	GDP	108.9+2.3pc
Gold £	218.50	+1.84	268.38	Base Rates	— 6.00pc

ScotRail's fate could be in the hands of Labour



COMMENT

The reaction from the Stagecoach camp was one of pained innocence. Take advantage of the travelling public? Who us? Can this be the same company that was found to be acting in a manner that was "predatory, deplorable and against the public interest" when the MMC paid a visit to Darlington?

Brian Souter, the plain-speaking chairman of Stagecoach, attends monopolies inquiries like other company executives turn up for board meetings. In the rough, tough world of buses, where throttling the opposition and then cornering the market is the name of the game, brushes with the competition authorities are all part of a day's work.

Yesterday, however, Mr Souter, who has moved on from buses to trains, had a novel experience even for him. The Department of Trade and Industry has decided not to bother waiting and seeing if Mr Souter is awarded the franchise to run the trains in his native Scotland. Instead it has already decided that if he does bag ScotRail to go with the two franchises he owns south of the border, then Stagecoach will be packed off to the Monopolies and Mergers Commission.

Amusingly, the reaction from the Stagecoach camp was one of pained innocence. Take advantage of the travelling public? Who us? Can this be the same company that was found to be acting in a manner that was "predatory, deplorable and against the public interest" when the MMC paid a visit to Darlington?

In the case of ScotRail, the Office of Fair Trading and the DTI are not being too specific about possible grounds for concern, referring only to "numerous and complex rail and bus overlaps". But since Stagecoach

is the dominant bus operator in Scotland once again, its arch rival FirstBus having just had a nasty run-in with the MMC, it is a fair bet there is plenty of scope to be worried.

If the ScotRail franchise were to go Stagecoach's way, Mr Souter would have his work cut out. Last year revenues of £86m were dwarfed by losses, (before subsidy) of £25.1m – a loss of £168,000 for every mile of track ScotRail operates over.

But the bigger political picture suggests it may not be Mr Souter's worry. The Government wants shot of all 25 passenger franchises come the election. A three-month MMC inquiry could leave the fate of ScotRail open in the whim of an incoming Labour administration. Since there are four other serious players bidding for the business, it would be simpler to leave it to one of them.

date, for though apathy and confusion will work in ScotAm's favour, there is at this stage a serious possibility of members giving their board the old two fingers.

Cutting through the noise and confusion, what this proposal seems to add up to is an attempt to persuade with-profits policyholders to put some of their money into a new, geared-up life insurance business. Should they really be asked to do this?

It works like this. The with-profits policyholders own the company, which cannot expand because it is short of capital. So in steps Swiss Re and its affiliate, Securitas Capital, with an injection of capital. Since the new policyholders who are to be recruited will not be owners, the profits derived from them will belong largely to the old policyholders (with 20 per cent for Swiss Re and Securitas).

The faster new business grows, the higher the rewards for existing policyholders when Scottish Amicable is floated. In other words, their 80 per cent stake in the business will not in future be diluted by the entry of new with-profits policyholders, thus gearing up the rewards on their equity. None of this disguises the fact that policyholders are being asked to take a punt on the management, whose track record to date has been an undistinguished one. The real question is why it requires demutualisation to achieve this.

It is, in fact, perfectly possible to gear up in this way inside a mutual society, as Friends Provident and others are already

doing. The secret is to concentrate on developing other forms of life insurance business that are not with profits and which therefore dilute existing owners less.

The obvious answer to the question why – which Scottish Amicable answers in a deeply unsatisfactory way in confidential briefing notes seen by *The Independent* – is that the society is so short of capital that it cannot gear up its policyholders' investments at all without outside help.

Others insurers such as London Life and Scottish Equitable have solved the problem by selling out altogether, and maybe that is the answer for Scottish Amicable. The management at ScotAm claims that this proposal will ultimately yield more, and that they would be selling at the bottom of the market if they followed the Scottish Equitable route. All the same, ScotAm and its advisers are asking policyholders to take an awful lot on trust. Without much better answers and explanations, the inevitable conclusion is that this is a plan designed more to benefit management than policyholders.

was domestic service. Much of the economy's growth during the past five years has stemmed from demand for maids and nannies, GDP figures published yesterday by the Office for National Statistics suggest.

The growth in domestic service, up by a third in nearly five years, was closely followed by industries that the Government would be happy to boast about – air transport, computer services, post and telecommunications, business and financial services. But the numbers make a point we all knew in our bones to be true.

This recovery is being driven by the spending power of the likes of Nicola Horlick and other well-paid types in the professions. The yuppie is back. 11 years older, still buying champagne and mobile phones, gazumping other would-be buyers of houses in smart parts of London, but opting for a Renault Espace rather than a Porsche and no doubt pumping money into private school fees.

It still counts as an economic recovery – but is this the kind of recovery that will win the Government a general election? Mori has yet to conduct an opinion survey of the voting intentions of nannies and maids. The outcome might surprise us all but if domestic service is all that Britain's showpiece flexible labour market can produce in the way of jobs, it isn't going to impress anyone else very much. Curiously, the flip side of the nanny society – hairdressing, facials, beauty parlours and the like – doesn't seem to be showing any growth at all.

Selling out could be the answer for ScotAm

In just over a week, Scottish Amicable policyholders are to be told in more detail exactly why their society has decided to embark on the most complicated demutualisation that has been attempted to date.

The plan has been almost universally panned, not least because of the handsome rewards the management has set aside for itself. Let's hope that next week's circular provides better answers than we've had to

Ten years on, the yuppie is back

Here's a rather telling fact about Britain. As John Major likes to describe his country, "the enterprise centre for Europe". The fastest-growing sector of the economy since the trough of the recession in early 1992

US giant trumps FKI's bid for Newman Tonks

Patrick Toohar

Ingersoll-Rand, the US engineering giant, yesterday made a surprise entry into the battle for control of Newman Tonks by launching an agreed cash bid valuing the building products group at around £230m.

It is the second time in a week that a hostile bid in the normally sleepy engineering sector has taken an unexpected turn after William Cook, the steel castings group, unveiled plans to thwart a hostile bid by Triplex Lloyd and take the company private.

Ingersoll's 175p-a-share offer is being recommended by the Newman Tonks' board and trumps a hostile bid from FKI, a much smaller engineering group, that put a £195.7m price tag on Newman Tonks in Newman's Hospitals. This and other management initiatives have helped push our current annualised rental income to approximately £4m.

We have further reduced the void element of our investment portfolio, currently standing at less than 3% through a number of new tenancy agreements including the letting of approximately 8,000 sq ft of office accommodation in Central London to United Medical and Dental Schools of Guys and St Thomas's Hospitals. This and other management initiatives have helped push our current annualised rental income to approximately £4m.

In November we announced the sale of our property in Tooting, South London, for £1.4m cash, which was comfortably in excess of the book value. The sale was effected following a change of use and the granting of a reversionary lease to Regent Inns PLC.

I am also pleased to report that the infrastructure and foundation work is progressing on schedule on our joint venture development in Guangzhou, China of which we own one-third. The property market in Guangzhou recovered during 1996, as a result of a strong economy in Hong Kong, and we expect it to continue to improve during 1997.

We believe we have demonstrated that our policy of acquiring income producing property with scope for improvement is the right way forward for your company and we intend to build on the foundations that have been laid. I also believe that as market conditions improve we should enjoy substantial growth both in income and capital value.

In view of the costs of circulation, the Directors have decided that the interim results will be published in the Independent on 28th January 1997.

Anthony Cheong
Chairman
27th January 1997

21 per cent of Newman Tonks, said it was considering its position. But analysts reckon FKI could easily afford to pay up to £2 a share to land Newman.

"Ingersoll Rand is a hefty company to get into a head-to-head with," said Sandy Morris at ABN Amro Hoare Govett. "But once you have set your stall out to bid for a public company you should not be deterred. Strategic reasons could make dilution more palatable for FKI."

Ingersoll-Rand's vice president Brian Jellison said the deal with Newman Tonks, its highest in Britain, would shape the US group's European strategy and create an architectural hardware business with a full product range. He declined to say how big architectural products were within the Ingersoll Rand group, which last year posted sales of \$6.7bn (£4.15bn).

Newman also forecast profits before tax, exceptional items and hid costs of not less than £18m in 1996, over £2m above analysts' consensus forecasts.

Mr Jellison said the forecast, leaked last week, was not a

factor in launching the bid. "We thought we could ascertain the value of Newman Tonks' business without the profits forecast," he said.

Mr Jellison revealed that Ingersoll Rand had talked about business opportunities with Geoff Gahan, Newman's chief executive, in the past. "But the hostile bid accelerated our getting together," he added.

Ingersoll first contacted Newman Tonks shortly after FKI launched its pre-Christmas bid. Serious talks began earlier this month.

Ingersoll employs 2,600 staff in the UK while Newman has 4,000 employees. Cost-cutting was not a factor behind the bid, said Mr Jellison without giving any firm job guarantees.

The takeover saga got off to an unusual start when M&G, Newman Tonks' biggest shareholder with 11.2 per cent, irrevocably accepted FKI's bid on day one.

"Our acceptance still stands," said a spokeswoman. "But if Ingersoll Rand's bid is successful and FKI's bid lapses we would get the higher price."



Upping their stakes (from left): Heal's finance director Paul Clarke; the chief executive Colin Pilgrim; and John Davis, merchandising and logistics director

Heal's aims to float in March

Nigel Cope

Five managers who invested £500,000 in a management buy-out of Heal's furnishings stores in 1990 will find their stake worth £7.5m when the group floats on the stock market in March.

Heal's chief executive, Colin Pilgrim, finance director, Paul Clarke, merchandising director, John Davis, and two other Heal's managers invested the money when the upmarket retailer was sold for £1m by Storehouse. The rest of the backing came from venture capital group NatWest Ventures.

Heal's is now seeking a stock market flotation which will value the company at £15m. The listing is expected to raise £10m of fresh funds which will be used to repay the venture capitalists and open more shops.

There are just three branches of Heal's – the flagship store

on London's Tottenham Court Road, an outlet on the King's Road and another in Guildford.

Mr Pilgrim, who joined the company as a graduate trainee in the 1970s, said: "The Kings Road store has been a roaring success and we would hope to continue the expansion outside our catchment area." He suggested there may be scope for up to 10 branches in the UK.

Heal's is one of Britain's most historic retail names. It was founded in 1810 by the Heal family as a feather dresser, which supplied bed manufacturers. By 1840 it had expanded into furnishings and had moved into the premises on Tottenham Court Road.

The group still hand-makes its beds and has numbered the Queen and John Wayne among its customers.

Last year the group recorded trading profits of £1.4m on sales of £19.3m.

Property Trust (Pvt) Holdings Limited

Interim results for the 6 months ended 30th September 1996

The company has made substantial progress on all fronts over the past six months and I am pleased to report a near doubling of post tax profits for the half year to 30th September 1996 to £219,000 from £271,000 for the corresponding period last year.

We are now reaping the benefit of our acquisition programme of the past 18 months and this current year will reflect a full year's performance of the £10m, mainly retail, portfolio we purchased in Autumn 1995. Since the last year end we have further acquired a total of £6.15m of investment properties for a mixture of cash and shares.

The largest single purchase was of a 19,000 sq ft office building in Camberley, Surrey, let to Admiral PLC on a lease with 18 years unexpired. The investment, for which we paid £3.15m, produces current annual rent of £320,000.

In addition we acquired a small portfolio of three properties for £3m from Leicestershire County Council Pension Fund.

We have further reduced the void element of our investment portfolio, currently standing at less than 3% through a number of new tenancy agreements including the letting of approximately 8,000 sq ft of office accommodation in Central London to United Medical and Dental Schools of Guys and St Thomas's Hospitals. This and other management initiatives have helped push our current annualised rental income to approximately £4m.

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Chairman
27th January 1997

	6 months ended 30th September 1996	6 months ended 30th September 1995	Year ended 31st March 1996
Turnover	1,870	1,137	2,811
Cost of sales	(192)	(142)	(258)
Gross Profit	1,678	995	2,553
Administrative expenses	(243)	(246)	(468)
Operating Profit	1,435	749	2,085
Interest receivable and similar income	14	33	47
Interest payable and similar charges	(930)	(511)	(1,404)
Profit on ordinary activities before taxation	519	271	728
Taxation			1
Profit on ordinary activities after taxation	519	271	729
Earnings per share	1.2p	1.4p	2.1p
Fully diluted earnings per share	1.1p	0.6p	1.7p

Note: These results have been prepared in accordance with Financial Reporting Standard 3 (FRS3). The unaudited financial statements for the six months ended 30th September 1996 do not constitute statutory accounts. They have been drawn up using accounting policies and presentation consistent with those applied in the year ended 31st March 1996. The audited revenue account for the year ended 31st March 1996 comprises non-audited accounts within the meaning of Section 240 of the Companies Act 1985 and is so extracted from the latest published accounts of the group which have been delivered to the Registrar of Companies and contain an unqualified auditor's report. The Directors do not recommend an interim dividend.

Tokyo's reforms blamed for slump

Richard Lloyd Parry
Tokyo

The Japanese government yesterday came under fire from one of the country's leading industrialists over the recent collapse in share prices on the Tokyo stock market.

Taizo Nishimuro, president of Toshiba Corporation, said the slump in share prices was due to disappointment at the slow pace of deregulation in Japan, and scepticism about the commitment of the Prime Minister, Ryutaro Hashimoto, to genuine reform. "They move too slow. Hashimoto is not acting on what he is talking about. That is the dilemma the government is facing. The stock market is an expression of disappointment," he said.

Shares on the Tokyo Stock Exchange fell yesterday for the sixth time in seven days, with the Nikkei 225 stock index sinking 354 points to 17,334.90, a drop of 2 per cent. The Topix Index was also down 2 per cent, having gone down nearly 10 per cent since the new year, and 17 per cent in the past six months.

Mr Nishimuro's remarks express a widespread fear among Japanese businessmen that the so-called "Big Bang", a programme of deregulation among banks, insurers and brokerage houses announced by Mr Hashimoto in November, will not materialise quickly enough to boost Japan's flagging economy.

Formidable vested interests – from politicians, as well as businessmen, closely tied to protected industries – stand in the way of Mr Hashimoto's reforms, and many observers in Tokyo are sceptical that they can be meaningfully implemented by the summer. There is also unease about the draft budget for 1997, which includes tax rises, but no spending cuts.

At the same time, the fear of hasty reform is also causing alarm, because of the uncertain state of Japan's banks, which are still saddled with debts resulting from the collapse of land prices in the early 1990s.

Hamish McRae, page 20

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256K Cache		
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256K Cache		
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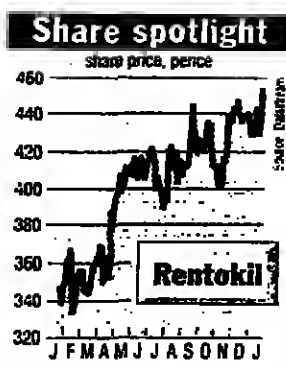
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market report / shares

Data Bank		
FTSE 100	4212.0	-6.8
FTSE 250	4593.1	-4.9
FTSE 350	2090.3	-3.1
SEAQ VOLUME	696.6m shares,	
	44,418 bargains	
Glits Index	94.53	+0.71



Food retailers lose weight over fears of a price war



MARKET REPORT

DEREK PAIN

stock market reporter of the year

The threat of a supermarket price war had the predictable impact on shares of food retailers as the stock market decided they should give up more of their recent strength.

There is considerable debate about whether an old-fashioned, no-holds-barred competition will actually emerge. Most observers think such a development unlikely.

But J Sainsbury could be the catalyst for the feared wave of price cuts. Its dismal trading performance has to be arrested and although it is not a natural price cutter its desperation to recapture its top position could provoke it into adopting a much meaner pricing policy. Such thoughts left food retailers in need of sustenance. Sainsbury fell 9p to 332p in busy trading; the shares were at one time down 11.5p. Safeway lost 13.5p to 376p and Tesco 5p to 355p.

Budgens retreated 1p to 43.75p and WM Morrison slipped 1.5p to 151.5p. Asda, the day's busiest traded share, dropped 1.25p to 130.25p and Kwik Save suffered a 0.5p decline to 300p.

The rest of the market appeared to recover from its panic retreat on Friday and Foodstore ended an insignificant 0.8 points lower at 4,212. The supporting FTSE 250 index lost 4.9 to 4,593.1.

Drugs remained one of the healthier sectors. What could be regarded as unrealistic takeover rumours continued to circulate with SmithKline Beecham again leading the charge with an 11.5p gain to 574p.

Roche, the Swiss group, is never far from the takeover rumour mill and remains a candidate to link with SmithKline, albeit through an agreed deal rather than a hostile bid. Schering-Plough, a US group,

has also been drawn into the speculation. Zeneca remains in the frame, edging forward 8.5p to 1,693.5p. Glaxo Wellcome added 8.5p to 957.5p on Aids drugs development hopes and Xenova, forging a research link with US giant Bristol-Myers Squibb, jumped 25p to 295p. The shares have had an eventful ride since arriving last month at 215p and falling to 193.5p before rallying.

Lewis vehicle has jumped 134p since it was disclosed it had an option on his 25.1 per cent £40m stake in Glasgow Rangers.

Lanica Trust was another in demand. The high flyer, which touched 2,050p last month, rallied 162.5p to 1,737.5p as rumours continued to buzz that it was to be taken over.

Prism Leisure, the computer games group, rose 15.5p to 140.5p. Half-year figures, followed by the first meeting with analysts for some time, are expected later this week. Profit last year were £2.1m with £684,000 coming at the interim stage.

John Lewis of Hungerford, no relation to the stores and supermarket partnership, made a firm debut. The furniture company ended at 3.75p against a 3p placing.

Chelsea Village, the football club, gained 4.5p to 123p. It followed up its on field exploits by placing a further batch of shares. Through its stockbroker Ellis & Partners 1 million were sold at 120p. As in the past the Ellis fee was met by the issue of shares - this time 25,000.

The club has also agreed to issue 126,532 shares to captain Dennis Wise at 118.5p and another 500,000 are earmarked for Graham Bell, who has helped develop the club's youth team. He is taking up 250,000 at 106.5p.

Takeover hopes returned to lift SR Gent, the clothing supplier to Marks & Spencer, 6p to 56.5p. Two hidders are said to be in the wings - one of them an Indonesian company.

Another where takeover hopes have been laid out, United Energy, rose 2.5p to 34p. There is talk of bids and a tender offer.

Taking Stock

Rowlinson Securities, a low-profile but successful building and property group, is rumoured to be in a predator's sights. The shares, a narrow market, rose 30p to 227.5p, a peak. They were 123p in the spring. Based at Stockport the company is run by the Rowlinson family; any takeover would need the family's say-so.

Aminex, with oil interests in the former Soviet Union, was little changed at 65p. Deutsche Morgan Grenfell has placed, through Henderson Crosthwaite, its 6 per cent shareholding.

Intriguing goings-on at National Home Loans Holdings. The shares rose 2p to a closing peak of 145.5p. But in late trading a flurry of 4p code layered deals went through at 148p. Volume was strong; 2.4 million shares.

Share Price Data

Prices are in sterling except where stated. The yield is last year's dividend, grossed up by 20 per cent, as a percentage of the share price. The price/earnings (P/E) ratio is the share price divided by last year's earnings per share, excluding exceptional items. Other details: R: Ex rights; E: Ex dividend; an Ex all at United Securities Market's Suspended and Partly Paid pm 10 AM Stock. Source: FT Information

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UK Company News	02	Wall St Report	06	Electricity Shares	40
Foreign Exchange	03	Tokyo Market	07	High Street Banks	41

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Market leaders: Top 20 volumes

Stock	Volume	Stock	Volume	Stock	Volume
ASDA Group	27,000	BT	24,000	Scottish Power	70,000
Harison	23,000	Shell Gas	13,000	Ladbrokes	60,000
Sainsbury	19,000	Lloyds Bank	12,000	General Electric	40,000
BT	16,000	Barclays	11,000	Kingspan	30,000
				Telecom	25,000

FTSE 100 Index hour by hour

Open 4207.0 down 118	11.00 4213.9 down 49	14.00 4212.0 up 22
11.00 4213.9 down 49	12.00 4213.9 up 51	15.00 4212.0 down 24
12.00 4213.9 down 49	13.00 4213.9 up 51	16.00 4212.0 down 65
		Close 4212.0 down 65

Stock	Price	Stock	Price	Stock	Price
ASDA Group	130.25	BT	123.00	Scottish Power	70.00
Harison	130.25	Shell Gas	13.00	Ladbrokes	60.00
Sainsbury	130.25	Lloyds Bank	12.00	General Electric	40.00
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Sainsbury	130.25	Lloyds Bank	12.00	General Electric	40.00
BT	130.25	Barclays	11.00	Kingspan	30.00
				Telecom	25.00

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Stock	Price	Stock	Price	Stock	Price
ASDA Group	130.25	BT	123.00	Scottish Power	70.00
Harison	130.25	Shell Gas	13.00	Ladbrokes	60.00
Sainsbury	130.25	Lloyds Bank	12.00	General Electric	40.00
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Pitman to strike out from the motherland

Racing
GREG WOOD

There are some stewards and clerks of the course who will feel that one Pitman with a trainer's licence is as many as they wish to deal with, but the total will soon double following the announcement yesterday that Mark Pitman, who has been assistant to his mother, Jenny, for the last four years, is to strike out on his own. The former jockey, who rode Garrison Savannah to victory for the stable in the 1991 Gold Cup, will begin his new career as soon as he has found a suitable base.

This (clearly amicable) parting of the generations came as a surprise to many, who had assumed that Mark Pitman would inherit the licence at Weathercock House on Jenny's retirement. Yet as the present incumbent pointed out, "no body should ever make any assumptions about anything in this life", which is a useful rule for anyone in the business of horses or betting.

As her son confirmed, "my mother certainly has no intention of retiring yet, and after a meeting at the weekend it was

decided that it was best for me to go out on my own."

Mark Pitman's departure will end a long professional association with the Lambourn yard, one of the most consistently successful in the country. "We wish him all the best," his mother said. "Naturally, like any mother, I hope he is a success, and his time here will stand him in good stead for the future."

RICHARD EDMONDSON
NAP: Trump
(Musselburgh 3.50)
NB: Baaheth
(Lingfield 3.00)

"Last year much to my delight, my sister Mandy Bowly took out a licence to train, and I'm very proud that Mark has now done the same. If either or both beat me in the Gold Cup or Grand National, I will be the first to give them a big hug. I don't know at the moment when I will retire. I'm getting married later this year and a lot of things are changing in my life."

Rather like one of her own steppchildren, which returns year after year for a fresh campaign, Jenny Pitman has been

a major force in National Hunt racing for so long that it seems a little strange to find that she is just 50 years of age. It therefore seems likely that the possibility of early retirement existed only in the daydreams of racecourse officials who have felt the rough edge of her famously prickly temper.

Mark Pitman, meanwhile, at the age of 30, could hardly have a better foundation for his solo career, since his time at Weathercock House, in addition to periods with Martin Pipe and David Nicholson, allows him to draw on experience with the three most successful trainers of the last decade. The strength of the Pitman dynasty, you feel, will be doubled, not halved, by his departure.

Another assumption which appeared wide of the mark yesterday was that Dorans Pride, probably the best staying chaser in Ireland, will represent one of the best chances of Irish success at the Cheltenham Festival. Though Michael Hourigan's chaser is as short as 9-1 for the Gold Cup, the trainer appears extremely reluctant to suggest Dorans Pride to such stiff opposition, no matter how well he performs in a novice

chase at Leopardstown on Sunday.

"We'll have to wait and see how we get on there," Hourigan said yesterday, "but I don't think he's mature enough and it will depend on ourselves more than the horse. It's a big decision and I don't want to mess him up. You wouldn't put in a novice against Steffi Graf at tennis, and it's the same story."

Indeed, Hourigan is inclined to believe the Festival altogether, even though Dorans Pride might well start favourite if he lined up for the Sun Alliance Chase. "I would imagine he'll stay novice chasing in Ireland," the trainer said. "There's plenty of good prize-money to be picked up between Fairyhouse and Punchestown. He nearly died last year with two bouts of colic, so we're lucky enough to have him now pushing him to him. There'll be next year, please God."

Since Dorans Pride is a former winner of the Stayers' Hurdle, Hourigan can at least be sure that his horse would both suit around Cheltenham and get the Gold Cup trip. No such luck for Gordon Richards, trainer of One Man, who is still puzzling over the grey's run at



Flights of fancy: The favourite, Minster's Madam, in the air in yesterday's seller at Plumpton. Photograph: Peter Jay

Cheltenham three days ago. That outing, you may recall, was supposed to decide once and for all what One Man will be doing in Festival week, but horses rarely provide a straight answer to a straight question and the choice between the

Gold Cup and Champion Chase remains a difficult one. "There will be a lot more talking and thinking before Cheltenham," Richards said, and there will be another race, too. "He will go in the Comet Chase at Ascot on Wednesday

week. He might as well go for a £60,000 race as have a gallop at home."

Walter Swinburn is to appear before magistrates next month after being charged with assault. The three-times Derby-winning jockey, 35, is also facing a criminal

damage charge following an incident at a restaurant in Newmarket on Friday. Swinburn, who earlier this month completed a 200-mile charity walk through Ireland, has been released on bail pending his court appearance on 27 February.

WARWICK

1.10 CARLITO BRIGANTE (nap)
1.40 Beaumont
2.10 Dream Ride
2.40 Harbour Island

GOING: Good to Firm
Left-hand course, Run-in of 240 yards.
Racecourse is well lit by floodlights. Buses from rail stations at Warwick (1m) and Leamington Spa (12m). ADMISSION: Club £12 (Juniors 10p-50p); Tattersalls £2 (Sundays £4); Course £5; CAR PARK: Club £4; remainder free.

SIS **RACING**

LEADING TRAINERS WITH RUNNERS: M Pipe - 20 runners from 117 runners gives a success rate of 24.8% and a loss to a 51 level stake of £37.87; J Nicholson - 31 winners, 80 runners, 21.4%, +£1,831; Mrs J Pitman - 11 winners, 70 runners, 20.4%, +£1,831; J Edmondson - 11 winners, 40 runners, 22.5%, +£3,774.
LEADING JOCKEYS: J Edmondson - 11 winners, 73 rides, 46.4%, +£4,032; A Maguire - 17 winners, 82 rides, 20.7%, +£5,283; J Osborne - 14 winners, 71 rides, 19.7%, +£1,919; A P McCoy - 13 winners, 35 rides, 37.1%, +£11,611.
STAYERS' FIRST TIME: Mr Gordon Bennett (1.40), Starlight Post (2.10), Kyle David (2.40).

WINNERS IN THE LAST SEVEN DAYS: None.

LONG-DISTANCE RUNNERS: Mr Applewhite (1.10) & Holdemore (2.10) have been sent 186 miles by R Free from Buxton, Derby.

1.10 HIGH FRONT NOVICE HURDLE (CLASS E) £2,925 added 2m Penalty Value £2,910
244 CARLITO BRIGANTE (nap) (J) Dwyer 5 11.5 J Osborne
CLASSIC (The Best of the Best) (J) Dwyer 5 11.5 J Osborne
245 COUNTRY LEADER (J) Dwyer 5 11.5 J Osborne
246 FRED JEFFERSON (J) Dwyer 5 11.5 J Osborne
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sport

It seems to me that allowing tactical substitutions in internationals is potentially the most important of all the recent changes

Rob Andrew recently wrote in another newspaper that he did not see the point of having Jonathan Davies on the substitutes' bench. A player of Davies' stature and experience, Andrew went on, should be either in the team or out of it. I hesitate to disagree with someone who is very nearly Davies' equal as an outside-half, but I do.

It may be that Andrew is too close to the problem. He puts himself in the position of Davies and imagines that Jack Rowell has asked him to shadow Paul Grayson (restored to the England side against Scotland), on the bench. Presumably he would not like it one little bit. I cannot say I would blame him.

Davies, by contrast, seems perfectly happy to act as Arwel

Thomas's rugby uncle. In the game, he has done everything, as, indeed, has Andrew. In fact, Andrew has done more: he has played for the Lions. This is Davies' one remaining ambition. If the Lions' manager, Fran Cotton, has any sense, he will take him to South Africa in the summer, whether as an outside-half, as a full-back or as a utility three-quarter.

I do not, however, want to discuss the composition of the Lions party at this stage but, rather, the question of substitutes. It seems to me that allowing tactical substitutions in internationals is potentially the most important of all the recent changes. It makes the coach or manager even more influential than he is already.

To a certain extent, admittedly, tactical substitutions have always been made, ever since substitutes were allowed. A player who was not performing well might suddenly go down with a mysterious injury to his ankle. I have even seen an out-of-sorts kicker being replaced by someone else who, by happy chance, is also able to take pot shots at the posts.

Such subterfuges will no longer prove necessary. At any rate, one hopes not. Against Scotland, Davies came on as an old-fashioned substitute for Scott Gibbs, who had injured his ribs. Considering the damage Gibbs had inflicted on the ribs of assorted Scotsmen, this was justice of a kind. But Kevin Bowring, the Welsh coach, also sub-



ALAN WATKINS

stituted Craig Quinnett for Mark Rowley and Gwyn Jones for Colin Charvis. I should have expected the last change at least to be reflected in the team to play Ireland. Last season, after all, Jones was - with Ian

Smith, now restored to the Scottish side - regarded as one of the best open-side flankers and a virtual certainty for the Lions. And Charvis, though he has had several impressive outings for Wales, did miss a gift of a try against Scotland, when he knocked on (or, rather, simply spilled the ball) with no one to impede his passage to the line.

Whether players who, like Charvis, have borne the heat and burden of the day should be penalised for one mistake is an arguable question. I tend to take the unsympathetic view that only the front five-forwards should be exempt from the obligation of being able to catch the ball in reasonable circumstances such as those in which Charvis found himself. Even this

concession may be out of date in these more stringent times.

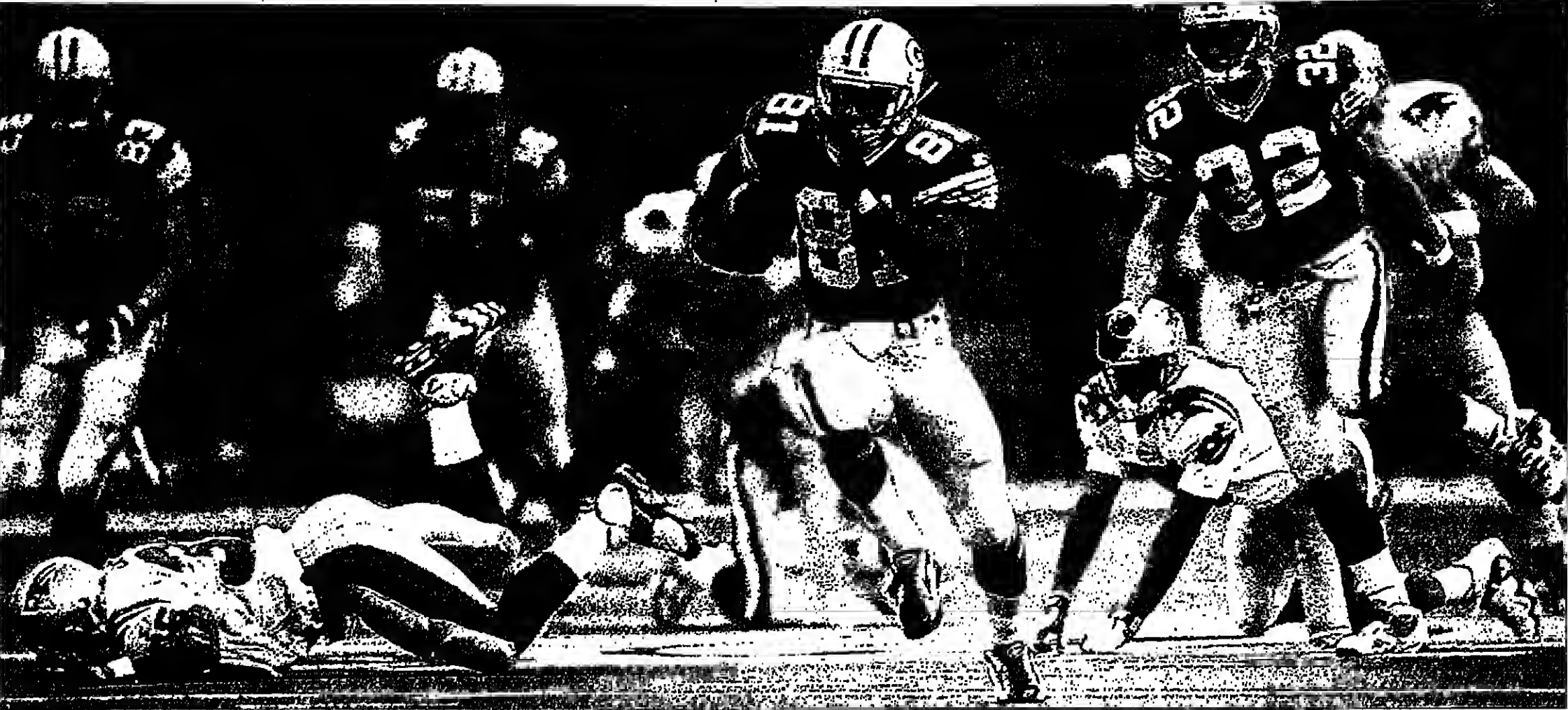
Manifestly, Bowring does not take this stern view. He has retained Charvis against Ireland and picked an unchanged team, with Davies, Jones and Craig Quinnett back on the bench. After his marvellous display at Murrayfield, Thomas's retention was inevitable and right. But Wales are very fortunate to be able to put Davies on the field in his place if things go wrong, as they did in Dublin last season. They are even more fortunate that Davies is prepared to accept this situation with fortitude, equanimity and even a degree of cheerfulness.

Substitutions can also be used deliberately to introduce new players to international rugby. Five I would

nominate are Huw Harries and Nathan Thomas (already capped as a substitute) for Wales, and Will Greenwood, Austin Healey and Alex King for England.

England's equivalent of Jonathan Davies is Jeremy Guscott. Whether he is taking it so equably I rather doubt. He certainly has reason to feel piqued. He is the finest centre England have produced since Jeff Butterfield or, if you count him as a centre rather than a wing, since David Duckham. Yet Rowell is not only failing to pick him in his best position, outside centre: he is also picking two inside centres in Phil de Glanville and Will Carling. I am afraid I cannot always keep up with Rowell's mental processes.

SUPER BOWL XXXI: Packers' special team deliver the decisive punch. Matt Tench reports from New Orleans



Pivotal play: Green Bay's Desmond Howard leaves the New England Patriots special team in his wake for a 99 yard kick-off return and a Super Bowl record

Photograph: AFP/Rhonda Wise

Howard's way destroys Parcels' dream

Half an hour before hostilities opened in Super Bowl XXXI, the theme music from *Mission Impossible* echoed around the Louisiana Superdome. The New England Patriots were not on the pitch at the time, which was probably just as well. Had they heard it, they might have realised the task ahead of them.

In the ensuing three hours, the Patriots put up a resolute performance against a Green Bay Packers team who fully lived up to their reputation for outstanding offense and defense. In the end, though, Bill Parcells' side were undone in an area of the game at which they usually excel. Parcells, the Patriots' head coach, takes pride in the special teams unit he coaches, but he, like they, could only watch in awe as Green Bay's Desmond Howard plotted a dizzying path through a

mass of Patriot tacklers for a 99-yard kick-off return. The run from one end zone to the other set a Super Bowl record. More significantly, it was a devastating response to a Patriots scoring drive that threatened to make the game close late in the third quarter. In a contest pleasingly punctuated by changes of momentum, Howard's way proved the final shift, and the Pack bled on to their 35-21 advantage, to claim their first Super Bowl since the days of Vince Lombardi.

"I thought we might have had them rocking at 27-21," Parcells said. "We had momentum on that drive and our defense was playing a lot better. The game turned on that play."

Howard was a worthy recipient of the game's Most Valuable Player award, totalling 344 yards on punt and kick-off returns. "I give Desmond Howard full credit," Parcells said. "He has great speed and made some

people miss. It's the first time this year we have been outplayed on special teams."

For Howard it was an extraordinary denouement to a campaign that began with his career in jeopardy. Five years after winning the Heisman Trophy as college football's best player, he arrived in Wisconsin in the summer having been cut by his previous two teams. A hip injury almost ended his Packers career before it started, but a touchdown return in an exhibition game secured his place on the roster, and he has produced a vintage season.

Howard's was the decisive moment of a Super Bowl that produced more big plays than a Shakespeare festival, and almost lived up to the hype. The tone was set on Green Bay's opening drive, when their quarterback Brett Favre challenged the Patriot blitz. Favre's tendency to be wayward early on attracted much comment in

the build-up, but his first throw in the biggest game of his life produced an inch-perfect trajectory over the advancing safeties for a 54-yard scoring reception to Andre Rison.

When, with less than seven minutes played, the Pack capitalised on Drew Bledsoe's interception on the Patriots' second possession by adding a field goal, it seemed another AFC team were destined for national humiliation. However, the Pats responded with characteristic Parcells savvy and, thanks to repeated use of play action, promptly put together two scoring drives, so that at the end of a compelling first quarter they were - remarkably - ahead 14-10.

The Pack then made some adjustments, and as their pass rush began to disrupt Bledsoe's rhythm so Favre demonstrated once again why his daring is such a crucial element in their arsenal. Another perfect

are released Antonio Freeman for an 81-yard scoring pass, though this touchdown, like the Packers' first, owed something to a third-rate effort from the Patriots' secondary.

The deep threat now established, the Pack were able to develop their running game and, with Dorsey Levens particularly effective, they racked up 17 unanswered points in the second quarter. When Favre's two-yard scoring run put his side 27-14 ahead shortly before the interval, it seemed that an AFC team's resistance had once again been broken before half-time, but such a conclusion only emphasised the perils of writing off a Parcells team.

Initially thwarted, a game of intriguing tactical responses then saw the Patriots, after 14 successive pass attempts, return to the run. This brought a drive which saw the Pats riding their luck - Ben Coates caught one pass then saw it rebound off

with the NFL Commissioner, Paul Tagliabue, asked to adjudicate on whether the terms of Parcells' contract allow him to coach another team in 1997.

Such a high-profile rift leaves no scope for Parcells to stay in Massachusetts. But he will leave a team infinitely stronger than the shambles he inherited four years ago, though one still short of a defensive playmaker or two. The Pack have no such problems. "It's time the Lombardi Trophy went back to Lambeau Field," their general manager, Ron Wolf, said as the presentation was made. For the Cheeseheads, who tested New Orleans' partying capacity to the full, there was much to celebrate. When their team last won a Super Bowl in 1968 an era was coming to a close. With virtually all their key personnel signed for at least another year, and their head coach, Mike Holmgren, at the peak of his powers, a new one may just be beginning.

gave the Surrey side a point they fully deserved. Even after dropping two points, Hampstead are seven points clear of third-placed Wilmington, who won 4-3 at Ashford, and look pretty certain to make the play-offs along with Anchors. Both teams are very keen to retrieve their National League status. Gareth Machin scored twice for City with Gys Thiemie getting the third as they beat the University 3-0 in Cambridge's Gown v Town match in the Adams East Premier. Cambridge City, six points ahead of Chelmsford, have, like Norton, yet to drop a point.

Cardiff able to consolidate title position

Ice hockey

Cardiff are now firm favourites to win the inaugural Superleague title after maintaining their edge over their rivals, Sheffield Steelers, on Sunday night.

In a see-saw contest, Cardiff led 1-0, trailed 2-1 but rallied to win with two goals in the final period from Jason Stone and Steve Thornton.

It gave Devils their fourth win in the six meetings between the sides this season and, more importantly, opened a four-point gap over Steelers at the top of the table with the season now in the home straight.

The result capped a miserable weekend for Steelers. Last season's Grand Slam winners were beaten 5-2 at home by Ayr Scottish Eagles on Saturday night, while Cardiff were picking up a useful point at Basingstoke.

Ayr boosted their hopes of claiming third place with a 5-3 win over fellow hopefuls Nottingham Panthers on Sunday, while Newcastle Cobras, who are third at the moment, stumbled to a 6-3 defeat at Bracknell Bees after losing their influential player-coach, Rick Brebant, who was injured.

Newcastle face character test

Rugby Union

CHRIS HEWETT

To misquote the Beatles, money can't buy you luck. Sir John Hall, the one-man financial machine driving Newcastle's ambitious attempt to hijack the nation's sporting consciousness, has suffered a rough 24 hours on the knock-out front.

After watching his expensively assembled football team get the bum's rush from the FA Cup on Sunday, he then had to endure further pain as the draw for the Pilkington Cup quarter-finals was made yesterday.

The winners of last year's Silk Cut Challenge Cup, St Helens, must beat the side they displaced if they are to make further progress in this, the 100th season of the competition.

Saints were drawn at home to Wigan, Cup winners in the previous eight seasons, in what was easily the outstanding tie of last

Francois Pienaar, the Saracens flanker who captained South Africa to World Cup glory in 1995, paired Newcastle with the winners of the Bath-Leicester tie on Saturday week.

It will be a tough test for Rob Andrew, recruited at considerable cost by Hall 15 months ago with a brief to establish the Second Division side as an elite force in English rugby and who emerges victorious from the battle of The Rec will be firm favourites for the trophy. Andrew will need big performances from the substantial number of full internationals at his disposal; 10 played in the side

that saw off London Scottish on Saturday and they will have an 11th after this weekend because the New Zealand-born Ross

PILKINGTON CUP Quarter-final draw

Newcastle v Bath or Leicester
Wakefield v Gloucester
Northampton v Sale
Harlequins v Saracens
Ties to be played Saturday 22 Feb

Nesdale will make his debut for Ireland in Cardiff. Nesdale gets his chance because Allen Clarke, the Northampton hooker, broke a hand in his club's cup victory over Coventry.

At least no one could accuse Pienaar of feathering the nest of his own team-mates. Saracens will meet the cup specialists Harlequins - the second successive London derby for Tony Diprose's side, who just made it past Wasps on Sunday.

English rugby's political landscape is even more shrouded in fog, however. The power struggle between the Rugby Football Union and the senior clubs, represented by Epruc, was widely expected to run out of steam this month. Cliff Brittle, the RFU executive chairman, yesterday called an emergency meeting with the

clubs to discuss their latest amendments to the peace formula hammered out before Christmas. The clubs, convinced that their most intractable opponent is preparing to renege on the current deal, told Brittle to take a running jump.

"We will not be attending and the message from the Epruc clubs is that there will be nobody there," said Mike Smith, the Saracens chief executive. "I have faxed Cliff an offensive reply."

Happy days. SWALEC CUP Seventh-round draw: Cardiff v Dons Power; Pontypool v Warrington; Llanelli v South Wales Police; Newcastle Emsay v Ebbw Vale; Swansea v Port Talbot; Carmarthen Quins v Neath; Treorchy v Bridgend; Aberystwyth v Llanelli.

St Helens must overcome Wigan in Challenge Cup

Rugby League

DAVE HADFIELD

The winners of last year's Silk Cut Challenge Cup, St Helens, must beat the side they displaced if they are to make further progress in this, the 100th season of the competition.

Saints were drawn at home to Wigan, Cup winners in the previous eight seasons, in what was easily the outstanding tie of last

night's fourth-round draw. Even allowing for home advantage and their aggregate win over Wigan in the Winter Challenge, Saints would have preferred to avoid their oldest rivals at this early stage of their defence.

The same applies in reverse, although the Wigan coach, Graeme West, was philosophical. "It's a hell of a big game first off, but if you want to get to Wembley, you've got to be able to beat anyone who stands in

your way," said West, who believes that the winter balance of power will prove irrelevant.

"We had a very young side out against Saints and this will be totally different." Last season's beaten finalists, the Bradford Bulls, must make the short journey to Hunslet. The one amateur side to fight their way through to this stage of the competition, Dudley Hill, who are also based in Bradford, are not so lucky. Their third-round vic-

tory at York has earned them a trip to the professional code's northern outpost at Carlisle.

"It's not ideal," admitted the Dudley Hill secretary, Mark Tordoff, after the draw at Headingley. "But I'd still like to think that we'll be back here for the fifth-round draw."

Paris St-Germain, included in the Cup draw for the first time, will be at Batley, while the relocated and renamed Lancashire Lynx will host the London Bron-

cos. The club, formerly known as Chorley, are moving into Preston North End's ground at Deepdale.

The only other all-Super League tie is between Castleford and Salford. Elsewhere there are a number of ties between First and Second Division clubs after which the losers might reflect that entry into the new Plate competition - and which also ends at Wembley on the big day in May - is not a bad consolation prize. Draw, Digest, page 25

Norton are taking nothing for granted

Hockey

BILL COLWILL

Norton march on relentlessly with maximum points at the top of the North Premier following their 4-1 away win over Ramgarth at Leeds. Although they are 12 points ahead of Forbury, their captain, Richard Finney, is taking nothing for granted and no coach has yet been booked for Milton Keynes and the April National League play-offs.

Finney opened the scoring against Ramgarth. Guy Bolsover made his usual contribution with Phil Hardy converting a penalty corner and, as the opposition tired, Gary Ferguson completed the tally.

In the Nastro Azzurro South Premier Anchors had a convincing 5-2 win away to Gore Court and are now four points clear of Hampstead and Westminster who surprisingly dropped points to lowly Woking in a 3-3 draw.

Always struggling after conceding an early goal in the opening minute to a Greg Machin penalty corner, Hampstead fought back with goals from Mark Crowley - his 23rd of the season. Will Saxby and Rob Turner before a late equaliser from Mick Colclough

TODAY'S NUMBER

5,774

The number of ATP ranking points amassed by world tennis No 1 Pete Sampras following his victory in the Australian Open singles final. This breaks the record of 5,652 set by Andre Agassi in 1995.

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